

September 22, 2009



TRANSCRIPT

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MONTGOMERY COUNTY COUNCIL

PRESENT

Council President Phil Andrews

Councilmember Michael Knapp

Councilmember Valerie Ervin

Councilmember George Leventhal

Councilmember Nancy Navarro

Councilmember Marc Elrich

Councilmember Nancy Floreen

Councilmember Duchy Trachtenberg

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1 COUNCIL PRESIDENT ANDREWS:

2 Good morning, everybody. Welcome to a meeting of the County Council. I wanted to
3 announce at the beginning that Council Vice President Roger Berliner is out sick today.
4 We wish him a speedy recovery. And we're going to begin with a moment of silence, so
5 please join me. Thank you. Next, we're going to have a presentation that Councilmember
6 Floreen has arranged that will recognize Tower Oaks Boulevard project, which is certified
7 LEED Platinum, and I'm happy to join her for the presentation.

8
9 COUNCILMEMBER FLOREEN:

10 Great. This is a great opportunity to celebrate how advanced Montgomery County is in the
11 green building world, and I'm not sure everybody appreciates how--how much--how ahead
12 of the pack Montgomery County is, and I'm pleased today to have the leaders of this
13 initiative in Montgomery County, which is the--basically, the Lerner Companies, the Tower
14 Oak Boulevard building at 2000 Tower Oaks Boulevard. We're celebrating with Art
15 Fuccillo and with Dave Borchardt for the Tower Companies their achievements in
16 sustainable development. I've had the opportunity to be at their fabulous new building
17 several times, and the Council President was there with me in--I think it was August?

18
19 COUNCIL PRESIDENT ANDREWS:

20 Mm-hmm.

21
22 COUNCILMEMBER FLOREEN:

23 ...to celebrate their announcement and the award of their platinum status within
24 Montgomery County --not just Montgomery County, but the region. You're not the only
25 ones in the state of Maryland, I hear, but you're the ones who are taking the lead within
26 the Washington Capital region, and that is a real statement for the region and for
27 Montgomery County. The Tower Companies has a really long history of leadership in
28 green buildings here in Montgomery County, and I am sure that everyone is familiar with
29 them and with Lerner Enterprises, and this is really a great collaborative achievement.
30 The 2000 Tower Oaks Building is the first ground-up office building in the Washington
31 region to win a Platinum LEED rating from the Green Building Council. Now, we talk a lot
32 here about asking companies to satisfy these kinds of requirements, but it's so exciting
33 when something actually gets done, and I think you did it without us asking. I think you did
34 it on your own. So we're really thrilled that this building is right here in Rockville. It's a
35 beautiful facility, and the best part about it, I think, is it has a Zen room and, given our big
36 public hearing tonight, the Council may scoot over and get some peace and quiet
37 afterwards, I think. It's really something special to see. If folks have not had a chance to
38 see it yet, I encourage everyone to do it. You--you won't regret it. So with that, I've got a
39 proclamation. I ask the--OK. The Council President has left his glasses in the other
40 location. "Whereas, the 2000 Tower Oaks Boulevard Building is the first new office
41 building in the Washington region to receive a Platinum Leadership in Energy and

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1 Environmental Design designation from the Green Building Council; and whereas, the 2
2 million square foot commercial building was co-developed by Tower Companies and
3 Lerner Enterprises and serves as headquarters for both companies; and whereas, the
4 building's green features reduce energy consumption by 28% and water consumption by
5 41% while the HVAC system is 39% more efficient than typical for offices, and a four-
6 stage air filtration system circulates 30% more outside air than required by code--and I bet
7 you this building does nothing like that --and whereas, 80% of all electric equipment in the
8 Energy Star-rated--is Energy Star rated, 22% of the materials were manufactured within a
9 500-mile radius, and 85% of the construction waste was recycled; and whereas,
10 Montgomery County is proud of the Tower Companies' and Lerner Enterprises' success in
11 the use of green building technology and encourages green building practices throughout
12 its various incentive programs; now, therefore, be it resolved that the County Council of
13 Montgomery County hereby honors the Tower Companies and the Lerner Enterprises and
14 congratulates them for the 2000 Tower Oaks Boulevard project being certified at
15 Leadership and Energy and Environment Design Platinum." Presented this 22nd day of
16 September, this year. Signed by our Council President. So thank you, thank you, thank
17 you. Congratulations.

18
19 ART FUCCILLO:

20 Thank you very much. Thank you very much.

21
22 COUNCILMEMBER FLOREEN:

23 Phil, would you--did you want to say something?

24
25 COUNCIL PRESIDENT ANDREWS:

26 I'll just add very quickly, this is an amazing building. Really, you should go see it. State
27 Comptroller Peter Franchot was there from the state to recognize and award the tax credit
28 to the companies. But the companies have long been leaders in environmental and
29 energy design, so this is their latest project, or one of their most recent projects, and it's
30 an amazing building over on Tower Oaks Boulevard. I recommend that you go see it for
31 yourself. It's hard to adequately describe it, but it has amazing energy-saving features that
32 Councilmember Floreen detailed in the proclamation. So, thank you so much, and we'd
33 like to hear from you about how you brought this about.

34
35 DAVE BORCHARDT:

36 Thank you.

37
38 COUNCIL PRESIDENT ANDREWS:

39 Thanks.

40
41 DAVE BORCHARDT:

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1 I'd like to thank Councilmember Nancy Floreen and the Council on recognizing the Tower
2 Companies and Lerner Enterprises on this achievement. The Tower Companies and
3 Lerner Enterprises built 2000 Tower Oaks Boulevard as the first commercial LEED
4 Platinum building in the--in the state of Maryland and the first project in the state of
5 Maryland to apply for the Montgomery County Code Green tax credit, so --which we're
6 very, very excited about, and we think it's very forward-thinking of the Council to look at
7 such a thing at this time, so the Montgomery County affords a credit against real property
8 taxes for buildings certified by the U.S. Green Building Council for meeting LEED
9 standards. The amount of the credit depends upon the level of LEED performance, and
10 we achieved the highest credit by achieving LEED Platinum and really look forward to a
11 long-term stay in that building and maintaining it as green as it always has been. So thank
12 you very much.

13
14 COUNCILMEMBER FLOREEN:

15 Thank you.

16
17 COUNCIL PRESIDENT ANDREWS:

18 Thank you.

19
20 COUNCILMEMBER FLOREEN:

21 As I said, it is just so exciting to see our policies actually translated into reality. And every
22 so often, that happens, doesn't it, Phil?

23
24 COUNCIL PRESIDENT ANDREWS:

25 That's right. That's right.

26
27 COUNCILMEMBER FLOREEN:

28 Let's have a photo. You can...

29
30 PHOTOGRAPHER:

31 Big smile, everybody. OK. Thank you.

32
33 COUNCIL PRESIDENT ANDREWS:

34 Thank you, Councilmember Floreen, for initiating the presentation, and congratulations
35 again to the companies on their excellent work. Next is going to be general business--
36 announcements and calendar changes. Miss Lauer.

37
38 LINDA LAUER:

39 Good morning. Just one announcement. The Council is announcing its public hearing on
40 the WSSC spending control limits for FY11 will be October 6 at 1:30. And that's all we
41 have today, and no petitions.

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1
2 COUNCIL PRESIDENT ANDREWS:

3 OK. Thanks. We'll now move on to action on the minutes of July 28, 2009. Is there a
4 motion for approval?

5
6 COUNCILMEMBER KNAPP:

7 So moved.

8
9 COUNCIL PRESIDENT ANDREWS:

10 Moved by Councilmember Knapp. Is there a second?

11
12 COUNCILMEMBER NAVARRO:

13 Second.

14
15 COUNCIL PRESIDENT ANDREWS:

16 Seconded by Councilmember Navarro. I don't see any discussion, so all those in favor of
17 approving the minutes of July 28, 2009, please raise your hand. And that is
18 Councilmember Navarro, Councilmember Elrich, Councilmember Trachtenberg,
19 Councilmember Floreen, myself, Councilmember Knapp, Councilmember Leventhal, and--
20 Councilmember Ervin, do you vote to approve? She does. All right. So that's 8-0, approval
21 of the minutes. We're now going to move on to the Consent Calendar. Is there a motion
22 for approval?

23
24 COUNCILMEMBER TRACHTENBERG:

25 So moved.

26
27 COUNCIL PRESIDENT ANDREWS:

28 Moved by Councilmember Trachtenberg.

29
30 COUNCILMEMBER FLOREEN:

31 Second.

32
33 COUNCIL PRESIDENT ANDREWS:

34 Seconded by Councilmember Floreen. Are there any comments about the Consent
35 Calendar? I don't see any. I have a couple. One, I'll note that we're introducing, on Item A,
36 a resolution to approve a Memorandum of Agreement authorizing the Police Department
37 to provide out-of-county services to assist with the G-20 Summit. That begins this week in
38 Pittsburgh, and that's why we're introducing and having a public hearing and taking action
39 today. Pittsburgh put out a call for assistance to provide security for the summit, and
40 Montgomery County is one of the agencies that is responding to the call, sending--
41 planning to send 37 police officers, 5 sheriff's deputies, and 2 fire and rescue personnel.

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1 We expect to get reimbursed for their services and are happy to help a neighbor. So we'll
2 have this introduced as part of the Consent Calendar, we'll have the public hearing this
3 afternoon, and then action following the public hearing. The Public Safety Committee did
4 meet last week and recommended approval of it. I want to make one other comment, and
5 that is that, as is often the case on our Consent Calendar, we have a number of people
6 who are being appointed to various boards and commissions, and we very much
7 appreciate those who step forward to serve. Almost all of these are volunteer positions. I
8 was at a board meeting last night that's a good example of the type of board that people
9 are appointed to--the Upcounty Advisory Board, which is a very active board, does a lot of
10 good work, and makes recommendations on a wide variety of issues. So we thank the
11 following people who are being confirmed today at the appointment of the County
12 Executive to these boards. To the Board of Social Services-- Ashok Batra, Carolyn
13 Branson, G. Bruce Vanderver, and Jarnitha Woodson; to the Commission on Aging--
14 Grace Whipple and Miriam Kelty; to the Commission on Juvenile Justice--Lee Haller; to
15 the--appointment to the Commission on Landlord-Tenant Affairs--Tangela Bullock, Nancy
16 Cohen, Laura Murray, Jan Patterson, Jon Cook, Luther Hinsley, and David Peller; to the
17 Commission on People with Disabilities--Mark Maxin, Daphne Pallozzi, Stephen Riley,
18 Judy Ann Hanger, Mark Winans, Irving Shapiro, William Markwood, Seth Morgan, Ana
19 Torres-Davis; to the Criminal Justice Coordinating Commission --Maurice Sessoms,
20 Marlene Beckman, Patrick Hoover, and Judith Whiton; to the Department of Permitting
21 Services Advisory Committee--Nancy Regelin; to the Domestic Violence Coordinating
22 Council--Shirley Brandman, who will be representing the Montgomery County public
23 school system; to the East County Citizens Advisory Board--and Ms. Brandman is the
24 president of the Board of Education; to the East County Citizens Advisory Board --
25 Saschane Stephenson; to the Energy and Air Quality Advisory Committee--Kevin Allen,
26 Edward Barbour, Jody Foster, Dwight French, Naomi Friedman, Steven Gibb, James
27 McDonnell, J. Stephen Shaw, and Paul Bubbosh; to the Workforce Investment Board--
28 Kate Garvey, Sandra Navidi, Harriet Shapiro; to the Housing Opportunities Commission--
29 these are reappointments, and we interviewed them last week, thanked them for their
30 continuing service--Norman Dreyfuss and Pamela Lindstrom; and to Nominating
31 Committee for the Board of Trustees of Montgomery College--Evelyn Frankl. And those
32 are the appointees today, and we thank them all for their service to the County. It does
33 make a difference, and we very much value their advice. Are there any other comments?
34 Anybody have any comments on the Consent Calendar? All right. Seeing none, I think
35 we're ready then for a vote on the Consent Calendar. All those in favor of the Consent
36 Calendar, please raise your hand. That's Councilmember Navarro, Councilmember Elrich,
37 Councilmember Trachtenberg, Councilmember Floreen, myself, Councilmember Knapp,
38 Councilmember Ervin, and Councilmember Leventhal. And this is approved, 8-0. We'll
39 now move on to Legislative Session day number 36, call of bills for final reading. This is
40 Item 3 on the agenda, Expedited Bill 30-09, Personnel - Guaranteed Retirement Income
41 Plan - Retirement Savings Plan, and the MFP Committee is recommending approval with

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1 amendments, and I'll turn to the chair of the MFP Committee, Councilmember
2 Trachtenberg.

3
4 COUNCILMEMBER TRACHTENBERG:

5 Thank you, President Andrews. Expedited Bill 30-09 was discussed within the
6 Management and Fiscal Policy Committee back on September 14. There was a public
7 hearing on the 15th. There was a committee recommendation, 3-0, to enact the bill as
8 amended, and just to summarize for colleagues, the proposed legislation would permit
9 certain non-represented public safety employees to participate in the Guaranteed
10 Retirement Income Plan and eliminate the distinction between disability benefits for highly
11 compensated employees and non-highly compensated employees under the Retirement
12 Savings Plan, the RSP, and establish default beneficiaries for participants in the RSP.
13 Again, there was a unanimous recommendation from the committee to enact the bill.

14
15 COUNCIL PRESIDENT ANDREWS:

16 OK. Thank you, Councilmember Trachtenberg. Are there any questions? I don't see any
17 lights on at this point. So Expedited Bill 30-09 is before the Council for action. This is a roll
18 call vote. It requires six votes, since it's expedited. I'll ask the clerk to call the roll.

19
20 MARY ANNE PARADISE:
21 Miss Navarro.

22
23 COUNCILMEMBER NAVARRO:
24 Yes.

25
26 MARY ANNE PARADISE:
27 Mr. Elrich.

28
29 COUNCILMEMBER ELRICH:
30 Yes.

31
32 MARY ANNE PARADISE:
33 Miss Trachtenberg.

34
35 COUNCILMEMBER TRACHTENBERG:
36 Yes.

37
38 MARY ANNE PARADISE:
39 Miss Floreen.

40
41 COUNCILMEMBER FLOREEN:

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1 Yes.

2
3 MARY ANNE PARADISE:
4 Mr. Leventhal.

5
6 COUNCILMEMBER LEVENTHAL:
7 Yes.

8
9 MARY ANNE PARADISE:
10 Miss Ervin.

11
12 COUNCILMEMBER ERVIN:
13 Yes.

14
15 MARY ANNE PARADISE:
16 Mr. Knapp.

17
18 COUNCILMEMBER KNAPP:
19 Yes.

20
21 MARY ANNE PARADISE:
22 Mr. Andrews.

23
24 COUNCIL PRESIDENT ANDREWS:

25 Yes. The bill is adopted, 8-0. Thank you very much, everybody. We'll now move on to the
26 District Council session for action on the Germantown Sector Plan. This is Item 4 on the
27 agenda. This is the resolution to approve it. The Council has had a number of meetings
28 over the last months-- few months--on this, after the PHED Committee spent quite a bit of
29 time on the plan itself. And Marlene Michaelson, our senior legislative analyst, has
30 prepared the resolution, and I'll ask her to describe it briefly.

31
32 MARLENE MICHAELSON:

33 The resolution before you is intended to document all of the decisions made by the
34 Council during your worksessions. A draft of the resolution was circulated about two
35 weeks ago. We made it available to anyone who we thought might be interested and put it
36 on the Council's website for the purposes of soliciting technical corrections, because at
37 this point in time, the only thing we --my intent is to record is what you've acted upon, and
38 there have been some suggestions for substantive changes, and I've told people if they
39 were interested in that, they needed to approach Councilmembers, and not me. So you
40 have the resolution before you at this point.

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1 COUNCIL PRESIDENT ANDREWS:

2 Very good. Thank you for your work on this, and I'll--I see that Councilmember Knapp has
3 his light on. Councilmember Knapp.

4
5 COUNCILMEMBER KNAPP:

6 Thank you, Mr. President. Thank Marlene for her efforts and thank the Planning Board
7 and Planning Board staff for their efforts in getting this back to us, and thank the
8 committee-- or thank the Council for their efforts in the straw votes that they took before.
9 There are a couple of issues that people have raised or brought to my attention. I wanted
10 to run through just a couple of them. Some will--actually, I think all will require some
11 action, so I just wanted to put these out there for folks. The first one is language I actually
12 think most Councilmembers received, which I present to you as a committee
13 recommendation, which is to insert language which the PHED Committee had supported
14 but never had--didn't make it all the way through the process, for reasons I'm not sure of,
15 which enables a property which already has donated extensive public space--in essence,
16 already meeting the public space requirement of the new zone, when we move from the
17 Town Sector zone to the TMX Zone-- to redevelop without having to donate additional
18 public space. And that is a 3-0 recommendation from the committee. I've got language if
19 people want to see, but I think many of you have already seen it, because I think
20 something was emailed around to folks.

21
22 COUNCIL PRESIDENT ANDREWS:

23 Yeah. Thank you. Let's see.

24
25 COUNCILMEMBER KNAPP:

26 Here you go.

27
28 COUNCIL PRESIDENT ANDREWS:

29 OK. Thanks. I think would make sense to go ahead and read it so people in the audience
30 have it as well.

31
32 COUNCILMEMBER KNAPP:

33 The language is, in draft resolution lines 1271-1275, "Several recommended rezonings in
34 this Sector Plan will impact projects that are in the middle of multiple phase development
35 projects or may redevelop. The Planning Board should give any project which was part of
36 a comprehensive development full credit for the public use space previously donated in
37 determining the public use space requirements for the new zone. If that project's prior
38 contribution of public space meets the requirement for the new zone, the project would
39 have met its requirement."

40
41 COUNCIL PRESIDENT ANDREWS:

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1 OK. And there's a little bit more. There's a little bit more there.

2
3 COUNCILMEMBER KNAPP:

4 Oh. And it's just, "The Planning Board should adjust public space requirements if the
5 property owner already provided public space in a previous stage of development that met
6 the public space requirements for the full build-out of the project. This would allow a
7 change in development review practices for that project or may require a Zoning Text
8 Amendment."
9

10 COUNCIL PRESIDENT ANDREWS:

11 OK. Thank you. Councilmember Knapp. I don't see any other comments or questions, so--
12 the committee said--I'm sorry. Did I hear you say the committee did meet on it formally, or
13 no?
14

15 COUNCILMEMBER KNAPP:

16 Did not meet formally. The individual Councilmembers were polled, and so the three
17 committee members were unanimous in their agreement of it.
18

19 COUNCIL PRESIDENT ANDREWS:

20 OK. All right. Very good. All right. We'll treat that, then, as a committee recommendation.
21 Is there--and then I'll call for a vote on it. No other comment? OK. All right. All those in
22 favor of the committee recommendation to amend the Germantown Master Plan as
23 described, please raise your hand. That is Councilmember Navarro, Councilmember
24 Elrich, Councilmember Trachtenberg, Councilmember Floreen, myself, Councilmember
25 Knapp, Councilmember Ervin, Councilmember Leventhal. The amendment is adopted, 8-
26 0.
27

28 COUNCILMEMBER KNAPP:

29 Thank you.
30

31 COUNCIL PRESIDENT ANDREWS:

32 Thank you.
33

34 COUNCILMEMBER KNAPP:

35 The second item is an issue that comes over as the resolution was drafted. There is a
36 dispute-- and it's not something that the Council, or that the committee, had actually
37 discussed in length. There's a Bozutto Mobile Home Park, which is in the Fox Chapel
38 portion of the plan. The debate is over the height limit for the property. Planning Board
39 staff thought that it was 50 feet. The actual property owner and developer says that 50
40 feet would prohibit them from developing the four-story structures they are seeking,
41 primarily because where they're actually looking to do it is in --is in a recession-- recession

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1 in grade. And so what they're looking for is flexibility allowing the property owner to seek a
2 60-foot limit to enable flexibility in the kind of four-story structures that they are seeking,
3 which would not impact the neighborhood. This was not a conversation that we'd had in
4 committee. It was just something that had come back in the actual specific language of
5 the resolution, and so I put that out for the Council's consideration--that we modify the
6 language to change it from 50 feet to 60 feet to enable four-story structures.

7
8 COUNCIL PRESIDENT ANDREWS:

9 OK. So, we'll treat that as a motion.

10
11 MARLENE MICHAELSON:

12 Yeah, if I could just comment. I'm sorry Planning Staff is not here to comment, because I
13 did share with them this request, and Karen Kumm, the designer working on the plan, felt
14 strongly at the time that 50 feet was the appropriate limit, and to the extent that you want
15 to provide flexibility and she's not here to comment further, I would suggest that perhaps
16 the language in the plan say 50-60 feet, as opposed to just 60 feet, and that puts out a
17 flag to the Planning Board that there's a range for them to consider, rather than just
18 extending it to the 60 feet.

19
20 COUNCIL PRESIDENT ANDREWS:

21 OK.

22
23 COUNCILMEMBER KNAPP:

24 That's fine.

25
26 COUNCIL PRESIDENT ANDREWS:

27 OK. All right. So Councilmember Knapp is moving it to do that-- a range of 50-60.

28
29 COUNCILMEMBER ERVIN:

30 Second.

31
32 COUNCIL PRESIDENT ANDREWS:

33 Seconded by Councilmember Ervin. Any discussion on this matter? I don't see any. All
34 right. Then all those in favor of amending the Sector Plan in that way, please raise your
35 hand. Councilmember Elrich, Councilmember Trachtenberg, Councilmember Floreen,
36 myself, Councilmember Knapp, Councilmember Ervin, Councilmember Leventhal--8-0.
37 OK.

38
39 COUNCILMEMBER KNAPP:

40 OK. The next issue is in the area of Rolling Hills, which is a large parcel that the Council
41 have had a fairly significant conversation about. It is bounded by Great Seneca Highway,

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1 the CSX tracks, the historic district, and Wisteria-- Wisteria Road across from Seneca
2 Valley High School. There was a question as to the height limit and a tenting down of the
3 heights that was talked about but was never actually captured in language. And so what
4 we're trying to--what I was going to propose is, on page 44 of the plan, revising the
5 second bullet in the second column as follows. And the paragraph starts with, "Orient
6 high-rise residential buildings on the Rolling Hills property with lower site elevations to
7 avoid incompatible relationships with the nearby historic district while still placing density
8 close to the MARC station. Provide a range of unit types, including single-family attached
9 units. Placing high-density buildings toward the center of the property allows for lower-
10 density buildings at the perimeter. Building heights should not exceed 90 feet and should
11 step down towards the perimeter of the site where the edge of the property faces the
12 historic district." So that-- so the change is, "Building heights should not exceed 90 feet
13 and should step down toward the perimeter of the site where the edge of the property
14 faces the historic district."

15
16 COUNCIL PRESIDENT ANDREWS:

17 OK. That's the change. What did it change from, again? What was the...

18
19 COUNCILMEMBER KNAPP:

20 Have to look. Hold on. I don't have the...

21
22 COUNCIL PRESIDENT ANDREWS:

23 Yeah.

24
25 COUNCILMEMBER KNAPP:

26 Hold on. Right piece of paper.

27
28 MERLE STEINER:

29 It just added.

30
31 COUNCILMEMBER KNAPP:

32 It just added that sentence, right?

33
34 MERLE STEINER:

35 It just added here.

36
37 MARLENE MICHAELSON:

38 Is there a line number in the resolution? I'm sorry. I'm having trouble finding where you're
39 referring to.

40
41 COUNCILMEMBER KNAPP:

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1 Hold on. There will be in a second.

2
3 COUNCIL PRESIDENT ANDREWS:

4 Is it on circle--

5
6 MARLENE MICHAELSON:

7 OK. It's 895.

8
9 MERLE STEINER:

10 On circle 20 of your...

11
12 MARLENE MICHAELSON:

13 Line 895.

14
15 COUNCILMEMBER KNAPP:

16 There we go. 895. Yeah. OK, I've got it. I got it. So it says--

17
18 MERLE STEINER:

19 Where it says "site," it just adds--

20
21 COUNCILMEMBER KNAPP:

22 I've got it.

23
24 MERLE STEINER:

25 OK.

26
27 COUNCILMEMBER KNAPP:

28 So you look at the underline on circle 21, line 895. It basically adds at the end of that
29 sentence, "where the edge of the property faces the historic district."

30
31 MARLENE MICHAELSON:

32 And again, just to remind you, on this particular property, the center of the site was lower,
33 so Planning staff felt that it was appropriate to have the higher heights in the center of the
34 site and step down--most importantly, where it faced the historic district, but on the other
35 edges where it was adjacent to lower-density residential. So I don't know if you want to
36 comment, but I do think that their sense was the step-down was the entire site.

37
38 COUNCIL PRESIDENT ANDREWS:

39 OK. Is there anybody from the Planning Board that would like to comment on it? That's--

40 OK. Fair description.

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1 COUNCILMEMBER KNAPP:

2 What she said.

4 COUNCIL PRESIDENT ANDREWS:

5 OK. All right. OK. So that's a motion from Councilmember Knapp. Is there a second?

7 COUNCILMEMBER LEVENTHAL:

8 Second.

10 COUNCIL PRESIDENT ANDREWS:

11 OK. Seconded by Councilmember Leventhal. Any discussion on that issue? All right. All
12 those in favor, please raise your hand. Councilmember Navarro, Councilmember Elrich,
13 Councilmember Trachtenberg, Councilmember Floreen, myself, Councilmember Knapp,
14 Councilmember Ervin, Councilmember Leventhal--8-0.

16 COUNCILMEMBER KNAPP:

17 OK. Two more. I'm almost done. One which is a piece that just needs to be added--just
18 needs to be noted. Lehman Farm Road in Germantown, which is actually not subject to
19 what we discussed in the Sector Plan--the property owner was given an indication during
20 the early discussions of the Master Plan that the parameters of this road could be
21 modified. And unfortunately--so she thought that this--that the classification of this road
22 could be changed at this time. It can't, but I just wanted to recognize I'll be sending a letter
23 to the Planning Board to request that Lehman Farm Road be added to the work that the
24 Planning Board is doing on its Master Plan of transportation just so that gets addressed,
25 because of the way that we've done the Germantown Master Plan in this context.

27 COUNCIL PRESIDENT ANDREWS:

28 OK. So noted.

30 COUNCILMEMBER KNAPP:

31 And then finally... on page...Hold on. Let me make sure I'm on the right page. Let's see.
32 On page 18 of the Master Plan, at the end of the first paragraph... adding language that
33 said "Surface parking is appropriate on an interim basis to transition from suburban
34 development to more urban development." Do we have a place where this is in the
35 resolution? It's just in the plan itself.

37 MARLENE MICHAELSON:

38 The resolution doesn't refer to surface parking. It recommends structured parking, and the
39 Council added the words "where feasible," recognizing that in the interim, it may not be
40 possible to provide structured parking. So it doesn't explicitly say that there should be
41 surface parking, but you soften the language about structured parking.

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1
2 COUNCILMEMBER KNAPP:

3 OK. And it would seem that you would basically have one of two options. You could either
4 have surface parking or structured parking, so if it's flexible to be not structured parking,
5 the alternative would have to be surface parking.

6
7 MARLENE MICHAELSON:

8 Surface parking. And you know, I think we can--we basically now have a record of the
9 Council in sessions saying that by using the words "where feasible," you realize that it
10 means interim surface parking.

11
12 COUNCILMEMBER KNAPP:

13 Right. OK.

14
15 MARLENE MICHAELSON:

16 You know, if you feel it's necessary, we can add the words, but I think that's the intent of
17 your language.

18
19 COUNCILMEMBER KNAPP:

20 That's fine. OK. And that concludes all of the issues that I was raising.

21
22 COUNCIL PRESIDENT ANDREWS:

23 OK.

24
25 COUNCILMEMBER KNAPP:

26 OK.

27
28 COUNCIL PRESIDENT ANDREWS:

29 Very good. Do you want to make any comments on the plan overall?

30
31 COUNCILMEMBER KNAPP:

32 Well, I just appreciate the Council's efforts. As I said, staff at the Planning Board and
33 Planning staff, Germantown has seen a very radical transformation over the course of the
34 last 15 years. A statistic I like to cite a lot is in 1990, the Germantown community had a
35 population of about 35,000 people. Germantown now is about 83,000, 84,000 people, and
36 much of that growth has actually worked well. The challenge that we have confronted is,
37 much of that has been residential. With the plan that we have now--we'll be adopting, we
38 have now made a focus on, how does the commercial and the retail portion of that
39 community now come to fruition? And I think that the residents of the community are very
40 excited as to its next phase of development, and I hope that this plan will really lay out an
41 appropriate framework for that to occur, and to occur in as expeditious and appropriate a



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1 fashion as possible. And so I thank everyone for their efforts and look forward to seeing
2 Germantown continue to grow and thrive.

3
4 COUNCIL PRESIDENT ANDREWS:

5 OK. Thank you, Councilmember Knapp, for your leadership on it as chair of the PHED
6 Committee and as the district Councilmember from Germantown and the upcounty. I want
7 to thank, on behalf of the Council, the Planning Board and the Executive branch and our
8 staff, as well as all the committee members for their hard work. And I see Councilmember
9 Leventhal has his light on, as well.

10
11 COUNCILMEMBER LEVENTHAL:

12 Yeah, Mr. President. When the Council had its walkthrough from the Planning Board of
13 the Germantown Master Plan, I wanted to commend Mr. Stanley and his staff for the
14 excellent visual modeling that was done--the sort of 3-D evocation of what Germantown
15 might look like. We don't know precisely what buildings are going to go there, we don't
16 know precisely what heights they will be, but it was a nice way of evoking what
17 Germantown might look like. And I don't know if there's a direct cause and effect, but it is
18 interesting to note that of the Master Plans we're considering this year, we have not heard
19 community opposition to the Germantown Master Plan. And I just wanted to request here
20 for the record--of course, we'll be having lunch later, but I wanted to take this opportunity
21 to ask Mr. Stanley whether his staff could produce similar visual modeling for White Flint
22 and the Life Science Center proposals that are also coming before us.

23
24 COUNCIL PRESIDENT ANDREWS:

25 I thought you were going to say similar plans that didn't meet with community opposition.
26 We're hoping.

27
28 COUNCILMEMBER LEVENTHAL:

29 Well, I was trying to be subtle, but, Mr. President, you've brought out the point, but you're
30 so blunt, Phil.

31
32 COUNCIL PRESIDENT ANDREWS:

33 Always.

34
35 ROLLIN STANLEY:

36 Councilmember Leventhal, yes, the model is already done for White Flint. It's been shown
37 extensively, and there's one done for Gaithersburg West, as well, that we keep adding to,
38 and I believe the basic--yeah, at the PHED Committee meeting, we do the presentation.
39 Wheaton's is basically--the basics are there. We're building off the model as well as
40 Kensington, as well, and then in addition, we're looking at certain sites, particularly in
41 Kensington and Wheaton, that we're actually modeling up to show how the zoning

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1 essentially will work, and when we come back for the presentation on the CR zone, you'll
2 see examples of that in both White Flint and in Kensington.

3
4 COUNCILMEMBER LEVENTHAL:

5 Great. It just occurs, I wonder whether there might be some opportunities for a public
6 showing.

7
8 ROLLIN STANLEY:

9 Yes, and, in fact, the White Flint model has been shown in public now for almost a year,
10 and the Gaithersburg one, I believe, was shown, as well, was it not?

11
12 UNIDENTIFIED SPEAKER:

13 The Gaithersburg one is still under development, so we will place it on the website so
14 anyone can watch it, and we'll notify people when that's available. The Germantown one
15 is still on our website, as well.

16
17 COUNCILMEMBER LEVENTHAL:

18 Right. OK. Thanks.

19
20 COUNCIL PRESIDENT ANDREWS:

21 Thanks you, Councilmember Leventhal. Councilmember Knapp has another comment.

22
23 COUNCILMEMBER KNAPP:

24 Just two other specific people to call out. I'm like to thank Marilyn Balcombe, who is the
25 head of the Gaithersburg-Germantown Chamber--she spearheaded a lot of the
26 community activities that took place and making sure that the community was aware of
27 what was happening and that we, as a Council, were aware of what the community's
28 concerns were--and also Doug Wrenn, who served to head up some of the task forces to
29 make sure that, again, all of that information that was raised in the community was
30 brought to our attention, and I think both of them did a great job over the course of the last
31 couple of years. OK.

32
33 COUNCIL PRESIDENT ANDREWS:

34 Thank you, Councilmember Knapp. OK. We're ready to vote on the resolution to approve
35 the Germantown Sector Plan. All those in favor, please raise your hand, and that is
36 Councilmember Navarro, Councilmember Elrich, Councilmember Trachtenberg,
37 Councilmember Floreen, myself, Councilmember Knapp, Councilmember Ervin,
38 Councilmember Leventhal. The Germantown Sector Plan resolution is approved 8-0.
39 Thank you, everybody. All right. Now we'll move on to introduction of the Zoning Text
40 Amendment 9-08, Commercial Residential Zone, CR Zone-- Establishment, sponsored by
41 the District Council at the request of the Planning Board, and the action this morning is a



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1 resolution to establish a public hearing for October 27 at 7:30 in the evening. Is there a
2 motion to do so?

3
4 COUNCILMEMBER KNAPP:

5 So moved.

6
7 COUNCILMEMBER FLOREEN:

8 So mo-- seconded.

9
10 COUNCIL PRESIDENT ANDREWS:

11 Moved by Councilmember Knapp, second by Councilmember Floreen. Any discussion?
12 Seeing none, all those in favor of the resolution to establish a public hearing for Zoning
13 Text Amendment 9-08 for October 27 at 7:30 in the evening, please raise your hand.
14 That's Councilmember Navarro, Councilmember Trachtenberg, Councilmember Floreen,
15 myself, Councilmember Elrich, Councilmember Knapp, Councilmember Ervin,
16 Councilmember Leventhal. We have scheduled the public hearing for that day, October
17 27, 7:30, and it's introduced. All right. Our next item is Item 6--Action on Schematic
18 Development Plan Amendment 08-1, application under Development Plan Amendment
19 08-1. Applicant is Great Seneca Investments, LLC. The property is 1.32 acres located on
20 the east side of Great Seneca Highway and approximately 3,000 feet south of the
21 intersection with Clopper Road in Germantown. The action involved 20 townhouses,
22 including two MPDUs, and the recommendation of Planning staff and Planning Board is to
23 approve. There was no public hearing and no recommendation from the Hearing
24 Examiner. I'll ask the Hearing Examiner if he has any comments he wants to make at this
25 time about this.

26
27 MARTY GROSSMAN:

28 Good morning, Mr. President. Just to say that this is a Development Plan Amendment for
29 these 20 units to complete the build-out of the 602 units that were approved in G-650 in
30 1990. The only issue here is whether or not the Planning Board's majority
31 recommendation would be followed or the minority recommendation for the location of the
32 MPDUs. There would be two MPDUs as part of these 20 units, and the majority of the
33 Planning Board recommended that they be located on site--that is, on Parcel U, the
34 specific area that's being developed here with the 20 units--whereas the minority voted to
35 go along with the technical staff recommendation, which is to leave the specific location of
36 these two MPDUs to a later determination by the Department of Housing and Community
37 Affairs. The other possible location would be in some condominium units that are adjacent
38 to the Parcel U but are still within the overall Village of Clopper's Mill East. So, that's the
39 only real issue. I did recommend one small clarification in the language of either
40 recommended alternative, but it's just a language issue. The substantive question is the
41 one I've outlined.



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1
2 COUNCIL PRESIDENT ANDREWS:

3 Mm-hmm. OK. Thank you. Councilmember Floreen.
4

5 COUNCILMEMBER FLOREEN:

6 I have a simple question, which is, why are we deciding this, a zoning case?
7

8 MARTY GROSSMAN:

9 It's here on the Development Plan Amendment.
10

11 COUNCILMEMBER FLOREEN:

12 We enact all kinds of rules about locating MPDUs and off-site things and all those sorts of
13 negotiations. Why is this little portion of the decision-making process a zoning decision?
14 Because it was a sentence in a previous approval?
15

16 MARTY GROSSMAN:

17 It came up as-- the Development Plan Amendment, as approved by the Planning Board,
18 would ordinarily be the only resolution that would be in front of you. In this case, the
19 applicant did not agree with what the Planning Board recommended and wanted to go
20 with the technical staff recommendation on this issue and so did not amend its plan to
21 comply with the changes that the Planning Board recommended. So, you have before you
22 an issue as to whether or not--by the way, the applicant has subsequently agreed that, of
23 course, whatever the Council would decide on this issue, which language was to be in,
24 they would modify their plan.
25

26 COUNCILMEMBER FLOREEN:

27 That's a good position for the applicant, to live with whatever we decide. That's excellent,
28 but now, well --so this was a debate.
29

30 MARTY GROSSMAN:

31 That's correct. It was a debate on the Planning Board, and the Planning Board split 3-2 on
32 the issue of the language of--
33

34 COUNCILMEMBER FLOREEN:

35 No, but they made it--OK.
36

37 MARTY GROSSMAN:

38 So, the Planning Board voted. I just presented the two alternatives because one was
39 consistent with what the Planning Board ultimately voted and the other with what the
40 applicant feels ought to be the appropriate outcome, and they would require slightly
41 different language in the Plan.

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1
2 COUNCILMEMBER FLOREEN:

3 And-- I see, and the Planning staff had recommended something else, the alternative.

4
5 MARTY GROSSMAN:

6 Planning staff recommended what the applicant is agreeable to. That is that the MPDU
7 location, the two MPDUs, would be located at the location to be determined later by
8 Department of Housing and Community Affairs.

9
10 COUNCILMEMBER FLOREEN:

11 Which could be on site, too.

12
13 MARTY GROSSMAN:

14 Could be on site, or it could be--

15
16 COUNCILMEMBER FLOREEN:

17 I see. OK. I just raised the question about zoning cases, how much the Council is
18 expected to resolve, every little detail? I mean, it's obviously a policy call, but at a certain
19 point, it is delegated to others, I'd like to think.

20
21 MARTY GROSSMAN:

22 I agree. That's a legitimate concern, but I just present you with the alternatives because I
23 felt you were entitled to that.

24
25 COUNCILMEMBER FLOREEN:

26 You're just doing your job. Excellent. Thank you. Thank you very much.

27
28 MARTY GROSSMAN:

29 I don't get a vote in this. I don't even get a recommendation, since there's no hearing.

30
31 COUNCIL PRESIDENT ANDREWS:

32 All right. Mm-hmm. Go ahead.

33
34 COUNCILMEMBER FLOREEN:

35 Mr. President, given that, I would, I guess--what do we need to do? We have to move
36 approval of the proposal. I propose what the technical staff had recommended.

37
38 COUNCILMEMBER KNAPP:

39 Which is?

40
41 COUNCILMEMBER FLOREEN:

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1 Which was the one to decide it later.

2
3 COUNCIL PRESIDENT ANDREWS:

4 OK. Do you want to--OK.

5
6 COUNCILMEMBER FLOREEN:

7 So, which one is that? Is there an A or a B?

8
9 MARTY GROSSMAN:

10 Yes.

11
12 COUNCIL PRESIDENT ANDREWS:

13 Yeah.

14
15 COUNCILMEMBER FLOREEN:

16 Which one is that? Is that B?

17
18 MARTY GROSSMAN:

19 Yes. That would be B. Alternative A is what the Planning Board voted 3-2 in favor of.

20
21 COUNCILMEMBER FLOREEN:

22 Although I resist the concept that we should have to make this decision because we can
23 end up having a lot of meetings on this kind of subject.

24
25 COUNCIL PRESIDENT ANDREWS:

26 OK. Let's get a brief description of what the impact of the motion would be. Mr. Hearing
27 Examiner?

28
29 MARTY GROSSMAN:

30 Yes. This would approve the 20 housing units as set forth in the revised, or the amended,
31 Development Plan, and it would have the following binding elements. If you're voting for B,
32 it would be "number of dwelling units not to exceed 20 dwelling units in the tract currently
33 identified as Parcel U, including MPDUs if they are located on Parcel U, building height
34 not to exceed 40 feet in height," and, number 3, as to the MPDUs, "the applicant must
35 provide two MPDUs to satisfy the overall MPDU requirement for the Village of Clopper's
36 Mill East development by building two of the townhouses approved by either, one, building
37 two of the townhouses approved by this Development Plan Amendment as MPDUs or,
38 two, purchasing two existing Riverstone Condominium units in the Village of Clopper's Mill
39 East and converting them into MPDUs. Either alternative must be under agreement with
40 DHCA."

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1 COUNCIL PRESIDENT ANDREWS:

2 OK, so that's what you're moving?

4 COUNCILMEMBER FLOREEN:

5 Yes.

7 COUNCIL PRESIDENT ANDREWS:

8 OK. All right.

10 COUNCILMEMBER KNAPP:

11 Did we second that?

13 COUNCIL PRESIDENT ANDREWS:

14 It was, I think, seconded by Councilmember Leventhal. All right, so that's been moved by
15 Councilmember Floreen and seconded by Councilmember Leventhal. Is there any
16 discussion? Councilmember Knapp.

18 COUNCILMEMBER KNAPP:

19 Nope.

21 COUNCIL PRESIDENT ANDREWS:

22 OK.

24 COUNCILMEMBER KNAPP:

25 Just needed to clarify that.

27 COUNCIL PRESIDENT ANDREWS:

28 All right. OK. I don't see any discussion on it, so we're ready, then, to vote on the motion
29 to approve Resolution B of Development Plan Amendment 08-1. All those in favor, please
30 raise your hand, and that will be Councilmember Navarro, Councilmember Elrich,
31 Councilmember Trachtenberg, Councilmember Floreen, myself, Councilmember Knapp,
32 Councilmember Ervin, and Councilmember Leventhal. That's approved 8-0. Thank you
33 very much.

35 MARTY GROSSMAN:

36 Thank you, Mr. President.

38 COUNCIL PRESIDENT ANDREWS:

39 All right. Our next item is Item 7. which is action on a supplemental appropriation to the
40 FY09 Capital Budget and amendment to the FY09-14 Capital Improvements Program for
41 the Department of Police, Montgomery County Fire and Rescue Service, Montgomery



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1 County Public Schools, and the Maryland- National Capital Park and Planning
2 Commission for the Smart Growth initiative related to the PSTA and Multi-Agency Service
3 Park that's located near Shady Grove Metro. The land that's involved here is the Webb
4 Tract, and I will turn first to --I'll have a committee report, but I'm going to first turn to Linda
5 McMillan, who is our staffer for this issue, for her to make comments about the issue.

6
7 LINDA McMILLAN:

8 I do just want to check and make sure that Councilmembers did receive an addendum
9 that went out this morning, as you may be choosing to take your action from the
10 addendum.

11
12 COUNCIL PRESIDENT ANDREWS:

13 Mm-hmm. I think we can use a few more copies up here.

14
15 LINDA McMILLAN:

16 This is a continuation of the actions that the Council has been taking related to County
17 Executive's Smart Growth Initiative which involves two major components at the moment--
18 relocation of facilities from the County Service Park on Crabbs Branch Way, which will
19 allow the county to implement the approved Shady Grove Sector Plan, and then the
20 County Executive's recommendations regarding the relocation of the Public Safety
21 Training Academy which is currently located at Darnestown Road and Great Seneca
22 Highway, and the Council will be considering the future use of that property as a part of
23 the Gaithersburg West Master Plan. The County Executive in June had presented to the
24 Council a supplemental appropriation to purchase the Webb Tract on Snouffer School
25 Road. The Webb Tract is divided into east and west parcels. The County Executive
26 recommended purchasing the entire site and providing about \$1.7 million to master plan
27 the entire site. At that site, you would have 4 facilities located on the east side. You would
28 have the Montgomery County Public Schools food preparation and distribution facility, the
29 Montgomery County Public Schools maintenance facility, and the Park and Planning
30 Parks Department maintenance facility. All 3 of those facilities, which would be relocated
31 to the east side, need to move from Crabbs Branch, from the County Service Park, in
32 order to implement the Shady Grove Sector Plan. The west side, the County Executive
33 proposes, would be the new location for the Public Safety Training Academy. The Public
34 Safety and Transportation Environment Committees met on September 17 to discuss the
35 information that the Executive had provided. The joint committees are the committees
36 reviewing all the aspects so far of the Smart Growth Initiative, and at that time, the
37 committees recommended purchasing the east side and providing the planning funds. At
38 that time, the information provided to the committee was that the sales price had been
39 firmly set. It allowed the county to settle in two pieces, by September 30 on the east side
40 and December 31 on the west side, at no penalty to the county, and the committee also
41 discussed that under that initial information provided to the Council, there would be a very

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1 small savings that would come from the county actually not carrying the additional cost of
2 financing the west side from September to December. Since the committee made that
3 recommendation, which went out in the packet to you on Friday, the County Executive has
4 forwarded updated terms to the purchase of the Webb Tract. Those terms are that the
5 landowner is willing to reduce the price of the property by \$75,000, so that would be a
6 reduction in the purchase price and the amount of financing required, and then at the table
7 would provide \$150,000 cash as a closing cost incentive. The information you've received
8 from the Executive and the landowner is that that \$150,000 represents one half of the cost
9 to the landowner from carrying the property from September to the later closing date.
10 There would've been no change in price under the terms as originally discussed with the
11 county for the county choosing to have the later closing date, so there would've been
12 additional costs in carrying costs to the landowner. In the addendum that is presented to
13 you, you have the memo from the County Executive describing the new terms, the letter
14 from Miller & Smith proposing the new terms. You have some additional comments from
15 the Mid-County Citizens Alliance supporting the purchase of the entire tract as well as
16 suggesting that perhaps the county should consider buying an additional 13 acres of the
17 former Nike site. At circles 9-10 and 11-13, you have--I'm sorry; it's 6-8 and 9-10--you
18 have a Council staff draft, approval resolution, and .pdf that's based on the discussion and
19 recommendation of the September 17 Public Safety and T&E Committee meeting, and
20 then at circles 11-13 and 14-15, you have a Council staff draft, approval resolution, and
21 .pdf based on the Executive's new proposed terms, the new costs, but language based on
22 the discussion at Public Safety and T&E regarding the Council's continued deliberations
23 about the current Public Safety Training Academy site. The initial .pdf that came over from
24 the County Executive, which is included in the Friday packet, did have some conclusions
25 regarding the future use of the existing PSTA site which, the committee made very clear,
26 the Council will consider as a part of the Master Plan process. So, at this point, I think that
27 the Council's process is that the committee recommendation is what is before you, but
28 clearly, there's been a change in information and a change in terms, and so I expect that
29 the Council and the committee members will wish to discuss, and Council staff has
30 revised the approval resolution and .pdf as best as I could based on the new terms and
31 what committee members discussed in terms of language in the narrative of the .pdf.

32
33 COUNCIL PRESIDENT ANDREWS:

34 Thank you very much for your quick and fast work on that. Things change sometimes
35 pretty fast, although what I don't think has changed here is what makes sense, and I'm
36 going to describe the rationale for the recommendation of the two committees that is
37 before us, and then I know there are other Councilmembers that have comments and
38 proposals, and we'll have some discussion. One of the reasons that the committees voted
39 to go forward at this time, recommend approval of just the east side of the Webb Tract,
40 which is what would be the location for moving the Park and Planning maintenance facility
41 that's on Crabbs Branch and the school warehouse, food warehouse, is that the Public

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1 Safety Training Academy is on a location now that is a crucial part of the Gaithersburg
2 West Master Plan that is currently before the Council that we had 84 speakers discuss at
3 the hearings last week. We received a letter just a few days ago from the State
4 Department of Transportation that basically threw cold water on the Gaithersburg West
5 Sector Planning Board's draft plan and noted that it would be counterproductive to
6 increase the density in the Sector Plan area if it was revealed that the realignment of the
7 Corridor Cities Transitway is not cost-effective and the transit project could not be
8 realized. One of the proposed realignment stops for the CCT is on the current site of the
9 Public Safety Training Academy, so I believe it continues to be very premature for the
10 Council to make a decision about purchasing the west side of the Webb Tract, which is
11 where the proposal is from the Executive to relocate the Public Safety Training Academy,
12 and I think that it would short-circuit the process that we are going through in a way that
13 would be harmful, and that, I think, is the harm, and I said so at the committee meeting, of
14 deciding about the west side of the Webb Tract at this time. We have a letter of intent that
15 was signed some months ago, negotiated by the very able point person for the Executive
16 on all these matters, Diane Schwartz Jones, that gave the Council and the county till the
17 end of the year because of the consideration of the Gaithersburg West Master Plan to be
18 able to make these decisions in two segments, and that is the rationale behind the joint
19 committee's recommendation for going forward at this time with the purchase of the east
20 side and holding off on the decision on purchasing the west side of the Webb Tract until
21 we finish the Gaithersburg West Master Plan, which we expect to do before the end of this
22 year. So, that would still give us the time to come back and, based on what we know more
23 then and what we have decided about the Gaithersburg West Master Plan, then to make a
24 more informed decision about whether to go ahead with the purchase of the west half of
25 the Webb Tract. Let me also add that I believe that the Capital Budget is going to be a
26 challenge in the coming years as well as the Operating Budget. We've already had delays
27 in projects in the Capital Budget, including 4 high schools that were delayed--one, Paint
28 Branch, by two years; Gaithersburg High School, Seneca Valley, and Wheaton by a year--
29 and I may have missed another one, and I'm very determined to keep those on track, and
30 I think my colleagues are, as well, and I don't think that we're in a position yet to make a
31 good decision about whether we can fit everything into the Capital Budget, which I think
32 purchasing the Webb Tract, the west side, at this time would imply and be used to argue
33 for. I don't think we're in a position to evaluate that very well right now. We're gonna have
34 better cost information in 2 or 3 months than we do now and certainly more information
35 about what we decided on the Gaithersburg West Master Plan because we'll have, I
36 believe, made the decision by early December. So, for all those reasons, I think the joint
37 committee's and the recommendation of the staff and what we adopted was Linda
38 McMillan's recommended option. I think we should stick with that and go forward and
39 purchase the east side of the Webb Tract and hold off until we complete the Gaithersburg
40 West Master Plan on the west side. So, those are my comments, and that's the



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1 committee's recommendation to the full body. I have a number of lights. Councilmember
2 Leventhal is first.

3
4 COUNCILMEMBER LEVENTHAL:

5 Thank you, Mr. President. First of all, as the President did, I want to just echo his
6 acknowledgement of the extraordinary work that Diane Schwartz Jones is doing here. I
7 don't think she's getting any sleep, and this is not the only huge, complex project that
8 she's handling for the executive branch, so I just want her to know, as the Council
9 President acknowledged, that on this side of the dais, we do appreciate your very
10 thorough and energetic work on this and many issues, and I understand it's a team. We
11 appreciate all the good work of the department heads here, and we know that this is a big
12 priority for the executive branch, and so we're trying to handle it with the thoroughness
13 and care that it merits, and it's a lot of money, and it has major implications for the shape
14 of the county for many year to come, so we're taking it seriously, and we're weighing
15 different options, and our staff also does an excellent and thorough job, Linda McMillan,
16 and she presented the committee last week with her best professional thinking on this,
17 and her recommendation was that we split it into two parts for a number of reasons but
18 one of which is the process issue that the Council President-- appropriately, I think--
19 highlighted, that since we have not yet made the final decisions in the Gaithersburg West
20 Master Plan, we all have reservations about appearing as though we're prejudging that
21 process, and that's a very valid argument, and a week ago when it came before the joint
22 committees, I asked Ms. Schwartz Jones what harm, what harm in splitting this up into
23 two pieces, and at that time, I felt that your answer was not persuasive. You said, "Well,
24 we--" I'm paraphrasing. This was not word for word, but basically, you said, "Well, we think
25 you should do it now because we think it's a good idea," and that was not persuasive to
26 me. However, I don't recall whether I asked you in committee or whether we spoke later,
27 but I said, "Will the seller reduce the price?" and so later that day, you called me back, and
28 there were different answers to those two questions. On the first question, what harm in
29 splitting this up into two parts, the answer is now we would forfeit \$225,000, which is, you
30 know, in the big scheme of things, not a lot of money, but I think most of my constituents
31 and I would think that \$225,000 is a lot of money, and then secondly, I asked you--again, I
32 don't recall if I did this in the public record or privately-- would the seller reduce the price,
33 and, to your credit, you pursued that negotiation and came back with a reduction in price.
34 So, I give you credit for the work you're doing, and I do think that this letter that we've
35 received from the Mid-County Citizens Alliance is significant. I know that my very good
36 friend and colleague who represents the East Village, you know, is in closer contact with
37 those residents than any of us and his view is different, but I've also been in frequent
38 contact, as all my colleagues know and as other at-large members have, with the
39 residents of the east Village, and it seems to me that if you sign your name to a letter,
40 you're gonna have to live with that, and so, primarily, I mean-- forgive me for being a
41 politician now--the primary concerns about the Webb Tract have come from our

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1 constituents who live next door to the Webb Tract, and I've been very sensitive to those
2 concerns. I think we all should be cautious about when county government imposes a
3 change in the living conditions of the people we work for. I think it's very legitimate for our
4 constituents to say, "Wait a minute, county government. You work for us. What are you
5 doing to us?" and I've made every effort, as Diane certainly knows and as my colleagues
6 know, to get the East Village residents to put their questions on the record and to make
7 sure that your department, Chief Manger; Chief Bowers' department; your department,
8 David Dise; and you, Diane Schwartz Jones get their questions answered to the extent
9 that we can. Having done that, they've now worked through some sort of process where
10 they're willing to put in writing that they recommend the entire purchase of the entire
11 parcel now. That's a fact that we didn't have a week ago, so having said all that, I'm laying
12 the groundwork for why I'm changing my vote, which is something I rarely do. I do think
13 through very carefully how I vote. I do try to operate on the basis of principle. The principle
14 that governed my vote in committee last week was this process issue, that we should not
15 prejudice the outcome of the Master Plan affecting the cluster of life sciences areas and
16 the new housing along Shady Grove and Key West and Route 28. Subsequent to that,
17 new information has come to light, and I feel I have a different answer to my question of
18 last week, what harm in splitting up this purchase, and the views of the East Village.
19 Whether they are, you know, the full expression of their deepest heart or not, Mr. Knapp, it
20 is the written expression of their views. Those new facts that came to light since the
21 committee meeting last week persuade me that the correct vote for me at this time--
22 although I respect the views of all of my colleagues, certainly respect the Council
23 President and the gentleman from District 2--but my vote at this time will be to go ahead
24 and acquire the entire parcel now.

25
26 COUNCIL PRESIDENT ANDREWS:

27 OK. Thank you, Councilmember Leventhal. Councilmember Floreen is next.

28
29 COUNCILMEMBER FLOREEN:

30 Thank you very much. Well, I compliment, actually, my colleagues on the committee
31 discussion last week. I was there, and I went along with the recommendation of the
32 committee, but I would've moved to proceed as the County Executive has urged us to
33 proceed, and I think that my colleagues have achieved a great thing. We have achieved a
34 reduction in price, which is a savings to the taxpayers. I think this is the kind of project that
35 should go forward at this point in time. This is the time to buy land. This is the time to
36 move forward on initiatives because these opportunities will not remain for the county. The
37 price is right. The opportunity is there, and I will say, with respect to the Gaithersburg
38 West Plan, what we could say with a certain amount of confidence is that I think we heard
39 from 90-plus individuals, which is a testimony to the interest of the community, and that's
40 been terrific, and very few, if any, said don't do anything. They said do something. They
41 said just don't do as much as has been proposed, and I think we understand that's gonna

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1 be our job to sort it out, but even with this letter from the state, which I am very interested
2 in and just obtained a copy of this morning, it's about staging, of course, and it's gonna be
3 about when we can get infrastructure in place, which is a decision, and a key decision, to
4 be made in the Master Plan. I'm confident that with our thoughtful staff review and the
5 Council's activities, our attention to these details will bring us to a plan that most of us will
6 be able to be comfortable with, if not all of us, and as a result, I think that these are all
7 issues that can be worked through, but Mr. Leventhal has really outlined the issues very
8 well, and I'm going to move that we adopt the proposal that has been drafted by the staff,
9 which would reflect the County Executive's plan to proceed with the acquisition of the full
10 property at this point.

11
12 COUNCILMEMBER LEVENTHAL:

13 Second this.

14
15 COUNCILMEMBER FLOREEN:

16 That is a real cost savings for the county, and I think that's a good thing.

17
18 COUNCIL PRESIDENT ANDREWS:

19 OK, so that's been moved by Councilmember Floreen and seconded by Councilmember
20 Leventhal. I know there is continuing discussion. Councilmember Knapp.

21
22 COUNCILMEMBER KNAPP:

23 Thank you, Mr. President. I appreciate the issues raised by my colleagues, and I
24 appreciate the efforts of the committee last week. I actually thought that the presentation
25 provided by our staff, Linda McMillan, outlined it pretty well and actually gave a pretty
26 viable alternative moving forward. Interestingly, unlike many situations that are presented
27 to us, this is not a do it now, or you don't get to do it. We actually have an opportunity to
28 do the pieces we know and understand--which is to purchase the east side of the Webb
29 Tract, and we've actually identified activities that can take place there--while we continue
30 to explore the issues associated with the western portion and the elements associated
31 with the Training Academy. I've had lots of conversations with lots of folks, and we are
32 elected officials when people like us, and we're politicians when people don't, so everyone
33 tries to find what are the political motivations that we have here for this. You must be
34 trying to protect the interests of your colleagues--or the folks that you represent, so
35 therefore, a letter saying that they're OK with this must solve that problem, and, quite
36 honestly, looking at the letter that's been presented and knowing the conversation that
37 took place at the committee last week, I'm sure that the conversation that took place with
38 the community was something to the effect that goodness, if the Council doesn't purchase
39 all of it now, who knows what'll happen to the other portion? Well, the reality is, we have
40 until December to determine whether or not we want to purchase the other portion, and so
41 we have a lot of work that can still be done, and so I would appreciate the community's

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1 concerns because I've talked with them about this for the last 6 years as to what happens
2 with the Webb Tract, and I have no doubt that they're concerned that this takes the county
3 as a potential owner of that site off the table. The reality is, it does not. We now have the
4 next 3 months to look at the other portion. I think that makes a lot of sense. I had good
5 conversations with both our fire chief and our police chief a couple weeks ago, and in that
6 conversations, they indicated that we finally have a program of requirements for what a
7 training academy would look like, what are all of the elements that we would want in a
8 state-of-the-art training academy, which is something that we've been looking for for quite
9 some time, and so I think it's important that we now have that, but the reality of the
10 situation is, unless we come up with some brand-new approach, it's very difficult for Mr.
11 Dise's office to take a POR that's only recently been developed and come up with costs
12 associated with that, especially for two separate parcels, and that's been one of the
13 questions that I think the Council has been looking at for a while as to, what is the overall
14 cost of this project going to be? And I understand that there was a financing plan put
15 forward that says this doesn't bump up against our spending affordability guidelines, but
16 last I checked, it doesn't make a difference because we're still gonna have to make the
17 payments as a county, so we're gonna have to make sure that we have the mechanism to
18 be able to pay for that. So, I guess the question I would like to understand is, given the
19 fact that we have a POR that's just been recently put together, has there been analysis
20 done to look at both the current training academy site and the Webb Tract to determine
21 whether or not the elements of those pieces could be applied to each of those facilities
22 and to what the costs might be associated with that?

23
24 DAVID DISE:

25 Yes. In fact, we have done test fits. Based upon the new POR, my staff put in a major
26 effort, working through a couple of weekends to do some square footage of each of the
27 different components of the requirements outlined in the POR to do a test fit, and what we
28 found in the test fit of both sites is that the existing PSTA site, everything fits except for the
29 skill and skid pads. What you have at the existing site are wetlands areas on both sides
30 that basically create a narrow corridor for the training activities required by the POR, and
31 the combination of all of those elements mean that trying to fit them on the existing site,
32 we actually lose some critical components. You have to lose something, and the initial test
33 fit said what doesn't fit are the skill and the skid pads. If we put those in, then something
34 else has to come out. Conversely, we did the same test fit for square footage
35 requirements for all the various functions--again, equal to equal--and they do fit on the
36 Webb Tract. They don't fit on the PSTA. We have some diagrams that can illustrate that.
37 We have not yet done the detailed cost estimate, but the cost estimate that we have
38 provided thus far appears to be in the ballpark. We just haven't gone to any detail at this
39 time.

40
41 COUNCILMEMBER KNAPP:

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1 And so there's nothing in the POR that would be identified for the Webb Tract that would
2 not be included, then? Everything that the police and fire chief identified in the POR would
3 be included at the Webb Tract.

4
5 DAVID DISE:

6 That is correct. Everything that is identified in the now-current POR fits.

7
8 COUNCILMEMBER KNAPP:

9 Has the Council actually received a copy of that POR yet?

10
11 DAVID DISE:

12 I don't believe so. We don't typically send PORs over to Council. We do have summaries
13 of documents for square footages that we can distribute to the Council that show the
14 summary of the areas that have been asked for in the training classrooms, outdoor
15 activities, as well.

16
17 COUNCILMEMBER KNAPP:

18 Well, I think it'd be important for us to actually understand what the pieces are. I mean,
19 this is not a conversation that's a new conversation. We've been talking about this for the
20 better part of the last two years, and so to understand what the actual activities are that
21 would go on at one of the site, I think, would be good for us to know and understand.

22
23 DAVID DISE:

24 We could certainly provide the breakdown of the square footages, as, again, it's a matrix
25 that we were prepared to distribute at the committee. The issue didn't come up, but we
26 can certainly do that.

27
28 COUNCILMEMBER KNAPP:

29 To understand square footage but also what the actual activities are.

30
31 DAVID DISE:

32 Yes.

33
34 COUNCILMEMBER KNAPP:

35 OK. Could somebody explain to me how any of the numbers we're looking at--so, if we
36 were to go ahead with the whole parcel, this portion, this would be about \$50 million, and
37 then under the scenarios we've seen thus far, to build a new training academy is about
38 \$100 million, which is \$150 million, which was not included in any of our capital discussion
39 before, so I'm just kind of curious as to how this would fit within the CIP and wouldn't
40 bump something else out of the CIP, in particular, as the Council President talked about,
41 the 4 high schools we've identified, each of which costs in the \$100 million range.



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1
2 JOE BEACH:

3 OK. First of all, the PSTA is not projected to cost 150 million. I believe the latest cost
4 estimate, David, is 85 million?

5
6 DAVID DISE:

7 That's correct.

8
9 JOE BEACH:

10 OK.

11
12 COUNCILMEMBER KNAPP:

13 No. I said with the purchase of the land, which is roughly \$50 million, and then
14 approximately \$100 million, since we haven't seen many projects actually come in under
15 budget, so we're in the \$150 million range, right?

16
17 JOE BEACH:

18 OK. All right. Apologize. This does not compete with schools or other projects in the CIP
19 for a few reasons, one of which is, we have a unique financing structure for the Smart
20 Growth Initiative projects with the use of interim financing, and our ability, our flexibility to
21 retire with the use of GO bonds at different times in the CIP allows us to move that
22 beyond the year '15 or '16 in the CIP if there are any capacity issues, as well. Ms. Barrett
23 can explain that in more detail. Also, this project, unlike other government facilities, does
24 pay for itself through land dispositions, through lease savings, lease avoidance, and other
25 economic development benefits of the project, as well. Plus, we're looking at a new CIP
26 this year, the FY11-16 CIP. We have, according to the Executive's recommendation on
27 spending and affordability which you will discuss this afternoon at the public hearing, in
28 years '15 and '16 of the CIP, there'll be about 620 million in new GO bond capacity. Right
29 now, just in years '13 and '14, there's over 110 million in unprogrammed bond capacity, as
30 well, and the bond limits we'll be recommending will have an additional 50 million in bond
31 capacity recommended, so that's close to 3/4 billion in bond capacity in '11-'16 CIP to
32 address these needs, plus we believe we have the flexibility with the financing structure to
33 move this out of the '11-'16 CIP if we need to, if there are any capacity issues, and I'll just
34 turn to the Director of Finance to discuss that in some more detail.

35
36 COUNCILMEMBER KNAPP:

37 So, we're gonna, at this point when we actually show revenues declining --now, I don't
38 know; we're gonna get an update next week-- we actually show revenue declining and an
39 executive branch that--well, actually we show revenue increasing when we looked at
40 spending and affordability last spring, which indicated we shouldn't actually make any
41 modifications to spending affordability, expanding our bond capacity at all, now when we

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1 actually have revenues declining--is gonna make a recommendation that we increase our
2 bond capacity, plus we also take the number of items off line, and we fund it, which we'll
3 still have to pay for but fund it in a way that doesn't show up on our spending affordability?
4 Is that accurate?

5
6 JOE BEACH:

7 Well, the first part of it is. Yes. According to the affordability indicators we've used for
8 several years, these additional bond capacity would be affordable. This would be the tests
9 we've applied for several years now, so according to those indicators, those criteria, yes. It
10 would be affordable.

11
12 COUNCILMEMBER KNAPP:

13 So, the test that you applied last spring that indicated that with increasing revenues, we
14 shouldn't increase bond capacity now showing declining revenues show that we should
15 increase bond capacity.

16
17 JOE BEACH:

18 Well, actually, I mean, we certainly have a lot of stress in our revenues. We've had
19 reductions in state aid, et cetera. We still do not show declines in our revenue, maybe a
20 slowing in the rate of growth, but our projected revenues in the 6-year period will not show
21 a decline.

22
23 COUNCILMEMBER KNAPP:

24 Well, to the extent that we know that-- I mean, what we forecast--but our revenue for this
25 year was actually showing a decline for the next year, is it not?

26
27 JOE BEACH:

28 No. We are not projecting a revenue decline for fiscal year '11, at least according to most
29 recent--

30
31 COUNCILMEMBER KNAPP:

32 The last presentation that you provided to us said that.

33
34 JOE BEACH:

35 Perhaps in resources, if you looked at the fund balance and other resources, but certainly
36 not in our current revenues. We are not projecting--

37
38 COUNCILMEMBER KNAPP:

39 Got .2% decline going into next year.

40
41 JOE BEACH:



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1 Not in our revenues.

2
3 COUNCILMEMBER KNAPP:

4 Well, we'll have to look at those number again, but that was the last presentation we'd
5 received. I'm sorry. Ms. Barrett.

6
7 JENNIFER BARRETT:

8 Yeah. I'd like to clarify about the interim financing. We're not doing that because we're
9 trying to fit this in. We're doing that because it's an appropriate way of funding this set of
10 initiatives because of the land-sale proceeds and the uncertainty in terms of timing of
11 when that'll come in and the ability to take it out with those land-sale proceeds. When we
12 issue permanent financing, such as GO bonds, we have a 10-year call feature. We can't
13 just take them out when we have land-sale proceeds, so that absolutely was a
14 consideration. Also, as I communicated to the committee last week, our interim financing
15 is not a new, different program. It's simply an extension of a program that's been in place
16 for, I did confirm, it's about 20 years, and it's the lowest possible cost of financing. It is a
17 form of GO financing in that it's backed by the full faith and credit of the county, but it does
18 not compete head to head under the GO bond limits with schools or anything else. It is
19 interim financing that we take out with GO. It allows flexibility, and currently it's costing us,
20 and I think I said 125 last week. I think it's 1.3% all in costs of the commercial paper
21 program right now.

22
23 COUNCILMEMBER KNAPP:

24 How much-- how much have we used interim financing for in the past? At what scale?

25
26 JENNIFER BARRETT:

27 Interim financing has been used only on, I think, specific kind of ad hoc projects where we
28 just had a gap between some event of expenditure and some event of something coming
29 in to cover the cost. This is a larger program. It is my hope to be able to fit in some of the
30 repayment along the way. We've got many years ahead of us. We've got a lot of land sale
31 proceeds coming at us. It's unique--

32
33 COUNCILMEMBER KNAPP:

34 Well, we may have a lot of land sale proceeds. We don't know.

35
36 JENNIFER BARRETT:

37 We are--I mean, it is part of our projections here that there's about 200--over \$240 million
38 potentially of land sale proceeds to offset the costs...

39
40 COUNCILMEMBER KNAPP:

41 Right, but the keyword there being "potentially."

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1
2 JENNIFER BARRETT:

3 They're based on, and Diane can speak to some of the valuation work that's been done to
4 come up with those estimates. Also, just to point out that we've provided some
5 spreadsheets last week to the committee on--they're on circles 116 and 117 of the larger
6 packet, and then there's the small update that was requested last week in the addendum.
7 But we showed that this initiative does, when you compare it to what's already
8 programmed in the CIP, it really is a positive for the county, and I think that's a really
9 important fact to take into account is that with the land sale proceeds and what's already
10 been programmed, we come out ahead.

11
12 COUNCILMEMBER KNAPP:

13 And I think--broadly, I agree with that. I think if you look at east county--at the east portion
14 of the Webb Tract and you look at those elements, the part I'm still trying to reconcile, and
15 I think we're in no rush to necessarily make a decision on it today, is to understand the
16 costs associated with construction of a training academy, something that I think everyone
17 recognizes is critically important. In fact, we've had it in the CIP for the last 5 years and it
18 got put on hold as a result of this decision, and so now we've actually been on hold for the
19 last 3 years pending the outcome of this. I think it's important for us to understand the
20 POR-- there was a lot of determination that went in that the first time--and understand the
21 costs and understand the footprints. And, again, as I said at the outset, unlike many
22 decisions that we generally make, this isn't do it today or don't do it. This is we can do a
23 portion today, we can understand the costs associated with the rest of it, and we still have
24 time over the course of the next 3 months to better understand that and make that
25 decision, so as we begin to approach the CIP, we can make a better informed decision
26 and figure out where we want to be as a Council as opposed to kind of committing
27 ourselves to \$50 million now, which, in the eyes of many, will then be effectively a
28 commitment to \$100 million cost of the training academy, where I think we still have more
29 work to be done on that point. And so I think that--that's my concern, so I think what the
30 committee recom--what the previous committee recommendation was, which was to
31 purchase the east portion, I think makes a lot of sense, and make sure we can understand
32 the costs associated with the training academy so we can make the best decision as to
33 the right location for that, and do that over the course of the next 3 months, which is
34 basically what I thought the plan was in the first place.

35
36 LINDA McMILLAN:

37 If I could just clarify, I do want to say that the debt service from the short-term debt
38 program as well as from the GO debt is total debt service to the county, so to the extent
39 that the county has policies related to the percentage of the operating budget that would
40 go to debt service, the amount of debt service you have associated with the short-term
41 debt is a function of that even though it isn't the direct sort of competition between GO



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1 bonds and short-term debt. Falls outside that way. It does all fit within the debt service
2 limits.

3
4 COUNCILMEMBER KNAPP:

5 Thank you. And I guess just the one final point I would make to the constituents who sent
6 in the letter, we've been in close contact for a long time on this issue. I would just say that
7 if it reaches a point that the Council's not going to do that and if the only alternative left for
8 them is to work with a different type of development there, I think certainly the Council and
9 the county will have that conversation with them, that they are certainly, given whatever
10 Council decision gets made today, are not caught in a situation where it's this or nothing
11 and they've lost control of the situation. We still have the opportunity to continue to
12 purchase this parcel over the course of the next 3 months, and the ongoing dialogue that
13 we and the executive branches had with them will continue, and I will just conclude by
14 saying I also appreciate the efforts of Ms. Diane Schwartz Jones, because she and I keep
15 running into each other on all kinds of issues. We start our morning at the revenue
16 authority and we'll finish our evening here with the growth policy, and so I thank her for her
17 efforts because she's running from thing to thing, and I know it's a whole team. I thank the
18 rest of the team. But that's where I am on the whole issue. I think we've got to understand
19 the costs before we jump into this.

20
21 COUNCIL PRESIDENT ANDREWS:

22 Thank you, Councilmember Knapp. Next is Councilmember Elrich.

23
24 COUNCILMEMBER ELRICH:

25 A few things. One is that I was also on the committee and I had originally voted for the
26 committee recommendation, and like George, I've changed my point of view on this and
27 no longer support the committee recommendation. And I think all my colleagues have also
28 seen the e-mail from Roger Berliner, who voted for the committee recommendation, and
29 he no longer supports the committee recommendation. So, if there's a committee
30 recommendation, it's to purchase rather than to not purchase. I think it holds for both
31 committees, if my--if my math is right. I just got a couple points I want to make about the
32 purchase itself. I think the residents of Montgomery Village correctly ascertained that
33 they're better off with this project than any other project, and I think that's been true all
34 along, and I think it's been one of the arguments that's been made by the--by the county
35 government is that this may not be what you want, it's certainly not a park, but you're not
36 getting a park, and you're gonna get the private development, you're gonna get this and
37 this. It's clearly a lower impact use than what anything--that was envisioned by the private
38 sector. And I thought that the concerns of those were important, so I think the letter that
39 we got is actually very important. Like--like Phil, I was--I'm very concerned about the
40 Gaithersburg West master plan. You know, my views on it aren't any secret. And I was
41 concerned about sending the wrong signal to the community by supporting the purchase,

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1 which would imply moving anything off the Webb Tract. But I had discussions with folks
2 who were some of the most vociferous opponents of the density proposal. I think an
3 earlier point about--that the opponents aren't opposed to anything there. They said, "Scale
4 it back." They haven't said, "Do nothing." But those who said, "Scale it back," all their
5 plans show for reuse of the public safety training academy land. Nobody in that
6 community is saying, "Is the future of this community, we think--" maybe I can't say
7 nobody--but those who put forward alternative visions for that that included some
8 development of the life sciences center have all said something needs to be done with this
9 property other than the current use, and so I asked folks if I would be shot if I voted to buy
10 this, and would they assume I was now supporting as much density as could possibly be
11 poured there, and their answer was no, and so I thought, well, that's not the interpretation,
12 and it's consistent with their own view of what they want to see happen with the land. Now
13 we've got the people who have the academy thinking it should be moved. We've got the
14 place where the academy's gonna be going who think it should arrive, and I think that's a
15 good synergy between the two. This argument about numbers is-- is a little bit troubling.
16 Number one, to get the kind of numbers that Mr. Knapp would like, you're not gonna get
17 them by December. We're certainly not gonna know where the future of the economy's
18 gonna go and whether--what our bonding authority is gonna be, so to get the certainty
19 about the county's ability or the amount of revenues we're gonna have would push us
20 beyond the December deadline for closing, period. And the same thing in terms of
21 developing, you know, really detailed cost estimates for this project. These things aren't
22 gonna happen in time for us to make that kind of decision by December, so the argument
23 that we need more information I think is an invitation to asking for information that can't be
24 provided within the deadlines that are in front of us, and I think we do have to make a
25 choice. The uses on the academy are no secret. I mean, the POR may have changed,
26 you know, square footage here or there, but we know what's going and what the basic
27 functions of these facilities are gonna be. I'm--I'm baffled. You know, it's like we've been
28 having this discussion for a long time. I don't think there are any big surprises here. Maybe
29 there's more potential for use of a property that's been unveiled, but certainly what's been--
30 --we've talked about plenty of projects down there, and I feel pretty comfortable that--that
31 what we're about to do makes sense. So, I think this is the right time to buy property. I
32 think Nancy's correct that this is, you know, this is a good market for purchasing. It's a
33 good market for building, because construction prices are down. I think the school system
34 was in here the other day saying what-- that their bids were 30% lower than they had
35 estimated, which tells you if you're gonna build, build now. So, I think things are kind of
36 aligned. Bond spending is not a bad form of spending, even in a recession, because
37 instead of trying to swallow things out of your operating budget and find a ton of cash up
38 front, you're extending the costs over a long period of time, and I really think that you've
39 presented a credible alternative for financing this and not bumping up against the schools,
40 because I'm not pulling any of the schools out of a future CIP, and if I had to pull capital
41 for the training academy versus capital for a school, I tell you, I'm gonna leave the school

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1 in and something else is gonna go, so you're gonna have to make sure that all the things
2 you say you can do can be done, but I do think your presentation was credible. So I will
3 vote to support the acquisition of the whole piece.

4
5 COUNCIL PRESIDENT ANDREWS:

6 OK. Thank you, Councilmember Elrich. Just a quick thought. I don't think anything is
7 certain about the Gaithersburg West master plan. It may change drastically from the
8 proposal, as many have suggested, or at least be changed in a way that reduces the
9 value of the land that is the basis of the estimate for the financing of the--part of this plan,
10 because the plan assumes high densities on the public safety training academy and the
11 purchase price that's been provided. The estimate, I'm sure, reflects a high density, which,
12 as I referred to earlier, the state has thrown a lot of questions about, because that high
13 density presumably will be based on the presence of a CCT stop, which may or may not
14 happen. And I certainly would say that the--all the money is gonna compete in these
15 budgets. We draw from the capital budget for the operating budget through PAYGO, so I
16 think to say that it does not compete, frankly does not compute. And I also will say what
17 Councilmember Elrich said, which is my priority is funding the high school modernizations,
18 making sure they stay on track. And that will be challenging, but that will be where I will be
19 putting my efforts and my votes. Councilmember Trachtenberg is next.

20
21 COUNCILMEMBER TRACHTENBERG:

22 Thank you, President Andrews. I'm gonna be very brief in my remarks but want to take the
23 opportunity at this moment to indicate my public support for the motion as made by
24 Councilmember Floreen and seconded by Councilmember Leventhal. I had been open-
25 minded about this and clearly had followed with great interest the conversation that had
26 occurred between both the committees last week. And when I came to the point in making
27 a final decision, what I was persuaded by were really 3 factors. One was the community
28 input, specifically the letter that came from the Citizens Alliance Mid County, but I was
29 also persuaded by the financial terms, not just the savings that were identified in the most
30 recent proposal, but quite frankly, the understanding that despite the difficult challenging
31 times that we were in, that we are in, this is the time to be looking towards the future and
32 making investments in the needs of our community, and quite frankly, the letter that was
33 provided back in early September by both Chief Manger and Bowers caught my eye very
34 late--very early this morning, very late last night, and one of the lines in that letter speaks
35 to the need to address both present and future needs. And I think that indeed is a
36 compelling argument as well, that given where we are with money, given that we have a
37 stable environment, we can take advantage of bond funding. It would make sense at this
38 time to make an investment in the future, because that's really what we're talking about.
39 So, with that in mind, I'm gonna support the motion that's before us, because I very much
40 believe in the final analysis, it's in the best interest of those that we serve to make a
41 commitment at this time with this project.

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1
2 COUNCIL PRESIDENT ANDREWS:

3 OK. Thank you, Councilmember Trachtenberg. Councilmember Leventhal.

4
5 COUNCILMEMBER LEVENTHAL:

6 With respect to these questions about the POR for the Public Safety Training Academy, I
7 just want to clarify. Is there reason to believe, and maybe Linda McMillan has thoughts on
8 this as well, because she's done some work on this--put aside land for the moment. I'll
9 speak to that in a moment--that the facility itself would be less expensive if it remained on
10 its current site? Linda McMillan had floated this idea last week where, as they did with
11 Richard Montgomery High School, if you demolish the building on one end of the site, or if
12 you begin construction on one end of the site while you're still using the building on the
13 other end of the site, and then when the new building is built, you demolish the old
14 building, that that would enable you not to buy new land. The question--put the land aside.
15 The question is whether building the new PSTA that way, whether there's any reason to
16 think that the cost of that would differ from building the new PSTA on the land at the Webb
17 Tract. Is there any reason to think it's cheaper just for the building--forget the land?

18
19 DAVID DISE:

20 You're still--you're still having to build a new building, and building it-- whether we build a
21 new building on the PSTA site or whether we build a new building on the Webb Tract, it's
22 still a new building wherever you build it. In fact, the challenges at the--at the-- well, both
23 sides have got significant grading that needs to take place. The--the Webb Tract, or the
24 current PSTA site, for those of you that are familiar with it, has a gradual slope up to a
25 crest where the-- the fire control and training building is and then down the other side to
26 where the tract and the--and the training-- skill pads are. So, you'd still have to do some
27 cut and some fill. Parking would remain a challenge on the site, but building a new
28 building is building a new building, regardless of where you build it. So--

29
30 COUNCILMEMBER LEVENTHAL:

31 So the difference is the land.

32
33 DAVID DISE:

34 The difference is the land, and remembering, of course, that with the POR, you cannot fit
35 all of the required training elements on the existing site.

36
37 DIANE JONES:

38 If I may add to that, though, too, the other issue that in--when the site has been looked at
39 is that if you stay at the existing PSTA site, you have to start thinking about structured
40 parking, which you're not thinking about over at the Webb Tract, and that is another cost
41 factor.

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1
2 COUNCILMEMBER LEVENTHAL:

3 OK. So, then, with respect to the land, all of us are taking a leap of faith that the future will
4 be brighter than the present, that there will be recovery--the economy will recover, and
5 that land that we own now will have significant value in the future and that the cost we
6 incur to buy the new land in a different location, that we will recoup at some point in the
7 future. We're taking that on faith. Now, at the same time, so--and then we're assuming that
8 housing right next to the existing housing at Fallsgrove, that would serve whatever cluster
9 of life sciences activity ultimately occurs around the universities at Shady Grove, around
10 the existing Johns Hopkins University, around Shady Grove Hospital, and on the Belward
11 site, that housing to support that might be located next door to Fallsgrove. That makes a
12 significant amount of sense, regardless of what the precise configuration of the pending
13 master plan end up-- ends up being. The other--the only other thing I would so-- so--I
14 mean, I'm just providing an explanation of the various pieces of this. So, then, the reason
15 why the PSTA, and Linda McMillan, let me just ask you, you follow that reasoning, yes?
16 The building itself--there isn't any reason to think that it's less expensive at the existing
17 site than at the Webb Tract. Put the land aside.

18
19 LINDA McMILLAN:

20 No, I mean, the only thing that I would say is that--is that if you were-- you were looking at
21 building an entirely new PSTA for all the components of the PSTA. If you were looking at
22 the current site, the driver training track, is, frankly, in the scheme of our capital facilities,
23 quite new. And so if you were looking at it in the course of the CIP, you probably wouldn't
24 replace the driver training track. Now, as a part of the new POR, both the police and fire
25 have said that since they're going to a new site, they actually would like something
26 different than what they have. And so there are some differences, but I think--I think
27 generally, you know, the cost of building a building is the cost of building a building, and
28 that in terms of the academic building, which is the main piece, the POR would be the
29 same in either location.

30
31 COUNCILMEMBER LEVENTHAL:

32 But if I'm remembering the conversations we've had about this, that gets to Diane's point.
33 Chief Manger, aren't you now doing driver training in the parking lot?

34
35 CHIEF MANGER:

36 The fire department is, yes, and the other issue is the--the disruption of training for the
37 period of time that it would take to construct, and we haven't figured out how--how we
38 would overcome that.

39
40 COUNCILMEMBER LEVENTHAL:



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1 All right. So, then with the land, I mean, I will say to the entire executive branch, those of
2 us who decide to vote for this are going along with an assumption that we will issue more
3 debt now, that we will pay ourselves back later. We're hoping, as I say, that the future will
4 be bright and that the land we own will have significant value. And then we're holding
5 OMB accountable for programming these high schools and other educational MCPS
6 facilities that we're all unanimously enormously interested in. And so as you're
7 constructing the CIP over the next few months, the burden, and it's a heavy burden, is on
8 you to show us that, in fact, we are able, that if we go ahead with this leap of faith, that if
9 we go along with this major initiative from the executive branch, that indeed the executive
10 branch is able to fit these school facility modernizations into its CIP, and obviously, all of
11 us are gonna look very carefully at that. So, the burden is on you, Joe Beach, to make
12 sure that that happens, and we're, you know, we'll call you out if you don't. To quote our
13 president.

14
15 JOE BEACH:

16 I feel the burden. We understand it's a shared priority.
17

18 COUNCIL PRESIDENT ANDREWS:

19 Thank you, Councilmember Leventhal. I just note that that driver training track cost \$6
20 million and opened, what, 5 years ago? Roughly? Something like that. So, that would be a
21 difference in the cost between the two places of building a PSTA, at least. Councilmember
22 Navarro is next.
23

24 COUNCILMEMBER NAVARRO:

25 Well, a lot has been said already, so I will not take too much time, either. You know, when
26 I was first approached in terms of a briefing regarding this particular possibility, I was
27 reminded of how, especially in these times, this Council and other councils around the
28 state and the country are really faced with very difficult decisions regarding the future and
29 regarding vision. And--and it is clear after so many conversations that we don't have a lot
30 of land left in Montgomery County that--but this is a unique opportunity, that we have been
31 discussing this issue for a very long time. And I think that it is a vision decision, and so,
32 you know, I just want to say that I--I understand where some of my colleagues are coming
33 from, and because we are daily having to make so many difficult decisions, and
34 sometimes they change and the terms change at the last minute, and it's hard to keep up,
35 and I don't particularly appreciate when the terms are changing at the very last minute,
36 because it doesn't give you a lot of time to-- to reflect. But I will support the purchase of
37 the entire Webb Tract. I mean, that was where I was from the very beginning. I am also
38 wanting to express publicly, as Mr.--Councilmember Leventhal just said, that we will call
39 you out, because the high school priority is--it is what it is, and I know that we're all very
40 committed, and we will be paying close attention. But as we're balancing everything, for
41 me it really is a matter of a unique point in time for us to make this investment, which

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1 hopefully in the future we'll look back and say, "OK, it was--it was the right thing to do."
2 So, I just want to make that quick comment, and really appreciated the story that Mr.
3 Bauman shared regarding Wheaton Regional Park and why there is no access to
4 Wheaton Regional Park from Georgia Avenue, because at that time, shortsighted vision,
5 decided not to purchase the entire lot up to Georgia Avenue, and then it became
6 prohibitive. And so I think that this is one of those circumstances where we have an
7 opportunity and hopefully it'll all work out. Thank you.

8
9 COUNCIL PRESIDENT ANDREWS:

10 OK. Thank you, Councilmember Navarro. Councilmember Knapp.

11
12 COUNCILMEMBER KNAPP:

13 Just a couple points real quick. Um... Mr. Leventhal, of course the numbers will add up
14 now in the CIP, because we've just created a mechanism that allows us to move
15 everything off into short-term debt that we don't want to compete with the CIP. So, that's
16 how it'll show up, and then we won't necessarily see that reflected, so, yes, they'll be able
17 to put everything in, so it will be-- we will still have to make additional payments that won't
18 show up, but I think it's gonna be important to have the MFP Committee and for Mr.
19 Farber to actually look and see with this significant increase in short-term debt, how does
20 this fit within our affordability guidelines, and should we be looking at something different,
21 since we've not really issued short-term debt of this magnitude? But yes, all of those
22 things that you've asked for will be there because we've given them away to basically
23 move it off the books. So I have no doubt it'll all fit, and I think that Ms. McMillan raised
24 that. And so I just think it's important as we move forward in a--in a very difficult CIP that
25 we have an understanding of--of what we're doing and that we've changed the way we're
26 gonna look at affordability in a very difficult year, and I think we all hope that things will get
27 better. I just think it's interesting how, depending upon what's being argued at a given
28 point in time, what perspective certain parts of county government take to make their case
29 more persuasive, and I--it's been fascinating for me to watch over the course of the last 6
30 months, and I think the next 6 months are even gonna be more interesting.

31
32 COUNCIL PRESIDENT ANDREWS:

33 Thank you, Councilmember Knapp. Councilmember Ervin.

34
35 COUNCILMEMBER ERVIN:

36 I don't really have any comments, but I have a question regarding the Miller and Smith
37 savings and how it is that we are only going to receive \$150,000 of a \$300,000 savings,
38 and I just want to say this Council is going to be--a hearing this afternoon, a hearing on
39 Sligo Creek Golf Course. It just--I wonder if it's a coincidence that \$150,000 has showed
40 up, and we needed that \$150,000 to make Sligo Creek Golf work and keep it open for a
41 year, but where's the-- where's the other \$150,000 that we realize in savings?

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1
2 DIANE JONES:

3 I can answer that.

4
5 COUNCILMEMBER ERVIN:

6 Please.

7
8 DIANE JONES:

9 OK. Thank you. First of all, I want to thank the Councilmembers, Council President
10 Andrews. After the-- the session last week, there were a lot of questions that came up,
11 and some of the questions that came up, just looking at the \$28,000 per month in terms of
12 what the carry costs would be if we deferred closing on the county--on the Webb side of
13 the Webb Tract, and I think that both Councilmember Berliner, Councilmember Leventhal
14 raised good questions and good issues in identifying that, and so that, and as Mr.
15 Leventhal noted, laid the groundwork for looking at this with the seller to determine
16 whether or not we could capture some of those savings. It actually, and it was slightly
17 misstated--I had gone back and asked Miller and Smith to break out what their cost
18 savings would be by closing on the west side of the Webb Tract at the end of September
19 instead of December. And we actually get the benefit of the vast majority of those cost
20 savings. And here's where they are. So, it was overstated when the memo said that we
21 would be getting approximately half of it. We did not have the breakdown at that point. We
22 had the result of estimations based on the conversations. The Miller and Smith interests
23 carry costs from September through the end of December on the west side of the Webb
24 Tract is \$168,303. Their property tax carry costs are \$11,630. Additionally, for having to
25 go through two different closings, there's another \$25,000 estimated costs associated with
26 the second closing, and then they have some ongoing on-site overhead home office
27 expenses that is estimated to be around \$30,000, which translates to a total of 230--
28 basically \$235,000. It's \$234,933. We actually have negotiated receiving \$225,000, not
29 \$150,000. The reason you see it broken out the way you did was actually at my
30 suggestion that the purchase price be reduced by \$75,000 of that so that we can have the
31 long-term benefit of doing that, and the Council was looking at another matter that it
32 would've been-- the idea being it would be nice to have a pot of money that becomes
33 available, and if the Council wished to look at it for that purpose, it could do so, and so
34 that's why you see it broken out the way you do. But to be clear that the amount-- we're
35 getting \$225,000 out of a \$235,000 cost savings.

36
37 COUNCILMEMBER ERVIN:

38 Are we gonna see that somewhere in a--

39
40 DIANE JONES:



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1 I'm happy to give this. I can give this to Linda. She can share it with Council staff, if you'd
2 like it, and-- and I can also e-mail you a copy.

3
4 COUNCILMEMBER ERVIN:

5 So, what we have here in the letter dated Friday, September 18 from Miller and Smith. "At
6 closing, Miller and Smith will give Montgomery County \$150,000 to use for whatever
7 purpose is deemed appropriate." That is not the right figure. Does that-- I'm just trying to
8 follow...

9
10 DIANE JONES:

11 What you have is a two-prong. It identifies the \$75,000 in the first paragraph, and I don't--
12 don't want to fumble around through the papers, but the Miller and Smith memo that was
13 transmitted from the County Executive had two elements to it. One was a \$75,000
14 reduction in the purchase price, plus a \$150,000 early payment incentive, if you will, to
15 close before September--or on--or before September 30. So, you have to look at both
16 paragraph one and paragraph two of Mr. Ellison's letter together.

17
18 COUNCILMEMBER ERVIN:

19 OK. Thank you.

20
21 COUNCIL PRESIDENT ANDREWS:

22 OK. Thank you, Councilmember Ervin. I don't see any other comments at this point, so
23 we're ready for a vote, then, on the proposal to purchase the entire Webb Tract for the
24 new amount, which is described...

25
26 LINDA McMILLAN:

27 This would be starting at circle 11.

28
29 COUNCIL PRESIDENT ANDREWS:

30 Circle 11.

31
32 LINDA McMILLAN:

33 And circle 11 through 13 is an approval resolution that shows the total appropriation as
34 \$48,241,400. The PDF is at circle 14 and 15. The land value at \$46,541 includes \$50,000
35 that the Executive requested. In all of the discussions that we've had to assist with
36 settlement costs on the Executive side, the \$1.695 million is for the master site plan of the
37 entire site.

38
39 COUNCIL PRESIDENT ANDREWS:

40 Mm-hmm. OK. Were there any other changes to the language that you wanted to make
41 note of regarding the PDF?

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LINDA McMILLAN:

Well, the PDF describes the project as well as each of the facilities, and in the justification discusses the Shady Grove sector plan, and then also the issues related to the PSTA regarding the need for renovations of the PSTA, which is really derived from previous PDFs about the PSTA. What is also in this draft PDF for the Council's approval is it takes out any reference to what the potential economic value of the current PSTA site might be, and says that the County Council will determine the future use of the current PSTA site on Darnestown Road as a part of its deliberations and actions on the Gaithersburg West master plan. And so that would be different language than the County Executive originally sent over in June in his PDF, which is drafted based on the discussions of the committee, and I think now reflects also the discussions of the Council.

COUNCIL PRESIDENT ANDREWS:

Mm-hmm. OK. Thank you for that summary. All right. I don't see any other comments, so we're ready for a vote on that. The Supplemental Appropriation requires 6 votes, because it is a supplemental appropriation, and this is the first half of the year. So, all those in favor of the motion as described, please raise your hand. And that's Councilmember Navarro, Councilmember Elrich, Councilmember Trachtenberg, Councilmember Floreen, Councilmember Ervin, Councilmember Leventhal. Opposed? That's myself and Councilmember Knapp, so it is approved 6-2. Thank you all for a very healthy discussion, and we're now gonna move on to an update from DHHS Director Ahluwalia on Neighbors in Need Neighborhood Network Initiative. We're running a little bit behind, but I think that we'll be able to have the full update this morning, and then we will join our Planning Board colleagues upstairs at about 10 to noon or so. So, I'll invite those who are here for the...update on the Neighbors in Need Neighborhood Network Initiative Program to join us at the front and introduce themselves for those listening in or watching on television. Good morning. Just push that button to the left of the panel there. And let's have everybody introduce themselves first.

UMA AHLUWALIA:

Sure. Good morning, Councilmembers. My name is Uma Ahluwalia. I'm the director of the Department of Health and Human Services.

SHARON FRIEDMAN:

And I'm Sharon Friedman, the Director of the Mental Health Association.

COUNCIL PRESIDENT ANDREWS:

OK. Very good. Let's see. Linda, did you want to make any opening comments? No. OK.

LINDA McMILLAN:

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1 ...follow-up to to information you started receiving last February as part of...

2
3 COUNCIL PRESIDENT ANDREWS:

4 All right, and Councilmember Leventhal, is there anything that you wanted to say as chair
5 of HHS Committee?

6
7 COUNCILMEMBER LEVENTHAL:

8 Well, um, I didn't--didn't prepare anything, but I certainly appreciate my frequent
9 conversations with the Director, and I think it's very important that we acknowledge the
10 benefits that we've been getting from Reverend Tim Warner and the improved outreach
11 that's been created between county government and the religious community. That was
12 something that Mike Knapp and I had advocated that the County Executive established
13 when he was sworn in, and I do think that we are in a better place today with respect to
14 our partnership with the broad nonprofit community, very much including churches,
15 synagogues, temples, mosques, et cetera, than we have been in the past, and I think
16 that's significantly assisted in the Neighbor to Neighbor Initiative, but the-- but Uma
17 Ahluwalia gets an enormous amount of credit for her initiative there as well, and Sharon
18 Friedman, and I see Becky Wagner's here from the Safety Net Coalition. I think this is
19 really an important example that other communities could learn from about how
20 government and the nonprofit community can interrelate and serve the people who we
21 work for.

22
23 COUNCIL PRESIDENT ANDREWS:

24 Thank you, Chair Leventhal. OK. Director Ahluwalia.

25
26 UMA AHLUWALIA:

27 Thank you so much, President Andrews. I--we really welcome this opportunity to brief
28 Council, because in the last 6 months, since February, since we last came before you, the
29 situation on the ground with our front-line staff has actually become more acute, and it is
30 an opportunity to tell you what's happening, and then we hope to come back in November
31 again and do a fuller briefing. Hopefully we can work that out on all of your schedules. But
32 we thought it was important to get before you early. So, just walking through, I think you
33 all have the PowerPoint before you. The public assistance caseloads have grown every
34 month in the year ending since June of 2009 and are now at an all-time high. There's
35 been a 34% growth in the temporary cash assistance caseload, a 34% growth in food
36 stamps, and a 17% growth in Medicaid caseloads at the department. What's really
37 stunning is that the application volume has grown by almost 40% while caseloads have
38 grown by about 17% to 20%. The key-- the point I want to leave you with over there, not
39 only is the need so tremendous, there are many, many people who are ineligible for
40 entitlement benefits and are really struggling out there. This comes back to the data that
41 says, you know, it takes about \$67,000 for a family of 3 to live in the county, or almost

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1 \$90,000-some for a family of 4 to live in the county, but the entitlement programs, the
2 federal entitlement programs, to be eligible, you have to make less than \$20,000 for a
3 family of 4 or \$17,000 for a family of 3. So if one member of the family has lost their job,
4 the family is not eligible for most benefits in the county, but they're finding it really difficult
5 to make ends meet. So, the face of poverty, the people who are coming to us looking for
6 help, has vastly changed. In addition to that, I want to make the point that for our staff,
7 who have to continuously tell people that they're not eligible, there's an enormous wear
8 and tear on the-- on the morale and the--and the ability of our staff to continue to--to--you
9 know, continue to process applications and to work with the clients who are walking in the
10 door. There's a much higher level of anxiety, both for our staff and for the clients walking
11 in. So, I do want to make that point. In Silver Spring and Rockville and Germantown
12 combined, the application volume increased from about 8,900 to about 16,000 from FY08
13 to FY09. So, in one 12-month period, there was almost a 40% jump from FY07. So, it's
14 really been very significant. There's a lot of hurt out there in the community. Countywide
15 energy assistance applications--you know, the utility costs went up in the past couple of
16 years, and the applications have shown an 18% increase. And this is all happening at a
17 time when workforce has been shrinking, we have greater vacancies, so the burden has
18 been pretty significant, and I--it's not to say we're not gonna continue to do what we're
19 doing, but we did want you to hear that. At several points in the year, all of the 95 family
20 and single shelter--adult shelter beds were full. Emergency assistance grants increased
21 by 18.3%. And we had an all-time high of 135 families in April in motels. We're now down
22 to 42, but in large part that's because of some of the Housing First and additional dollars
23 working in the system. In June, there were 55 families in motels. Today, there are about
24 42. Patient load in Montgomery Cares is currently on a trajectory to hit about 26,000
25 patients this year. I know we're gonna have a fuller briefing on Montgomery Cares later in
26 October. This is a 20% increase over FY09 and a 55% increase over FY08. There are
27 more people who are uninsured and coming to us for care. Manna, the food pantry, gave
28 free groceries to over 10,621 more households in FY09, which is a 43% increase from
29 FY08 to a total households of 35,435 households received food help last year. The
30 number of child welfare investigations, and you'll expect this, neglect investigations are
31 going to grow. There was a 14% increase in investigations. Not entries into care, which is
32 a helpful thing, so there are not more children in foster care, but there are more cases
33 being investigated. Here's another stunning piece of data. The Mental Health
34 Association's monthly suicide hotline increased by 313% from July of 2008 to July of
35 2009. We're actually seeing more successful completion of suicides for people who are
36 being foreclosed on, which is a very, very troubling piece of data. And Sharon's here to
37 talk more. They conducted over 222 suicide assessments through June of 2009. Sharon,
38 do you want to speak more to this or you're data before I...

39
40 SHARON FRIEDMAN:

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1 Yeah, I guess just--I would say specifically around the hotline is that previous to this last
2 fiscal year, we had negligible amounts of people calling the hotline because of economic
3 concerns. Now the number has risen, or the percentage has risen to about 15%, and any
4 number of hotline-- suicide assessment calls, and a suicide assessment could be anything
5 from an individual who says, "My house is in foreclosure, I've lost my health insurance, I'm
6 out of a job. I'm thinking that I can't go on" to someone who's actually calling and saying, "I
7 am in the process of trying to kill myself." So, that percentage of people, then, who are
8 calling us with suicide ideation or in the process of taking their own lives because of
9 economic factors has greatly increased.

10
11 UMA AHLUWALIA:

12 So, the question becomes--there are some tables in your PowerPoint that you can review
13 at your leisure. It just continues to showcase load growth, application growth, just
14 continues--I think gives a very good picture of the level of need that's out there in the
15 community. We have done some things about it in the FY10 budget. You all were very
16 gracious. The executive had put in funding for two neighborhood safety net sites, and you
17 all had approved it, which we have gone ahead and established. Two sites were
18 established, actually, last year in Feb-- no, this year in February is the last fiscal year. We
19 started in Gaithersburg in partnership with the family services agency and IMPACT Silver
20 Spring, and we started a month and a half later in Wheaton with Catholic Charities and
21 IMPACT Silver Spring, and a whole host of nonprofit partners, and we have funding from
22 the state to expand to two additional sites, and we're coming to Long Branch in a
23 partnership with Mary's Center and TESS, which is an HHS site right there across the
24 street, and we're going to east county somewhere later in the fall or early part of winter,
25 which will be our fourth site, because there is a real shortage of services out in the east
26 county. We do not have a nonprofit partner identified yet, but there are some ideas
27 floating around, so we will engage in discussions with them. We are seeing tremendous
28 amounts of need at these neighborhood service centers. A lot of immigrant families
29 coming to us for help. The--we're working with the state to keep improving our ability to do
30 electronic applications. We have set up kiosks, but the state application is somewhat
31 cumbersome. And at the same time, we're also doing phone applications for food stamps
32 and--and services like that. Emergency food, emergency assistance, utility assistance,
33 eviction prevention--those seem to be the sort of--the high volume areas. And as you
34 know, with H1N1 and the flu preparedness, you're gonna hear more on Thursday of the
35 HHS and--and Education Committees. We're seeing a lot of pressure around those two
36 areas of work right now. We've--IMPACT--Frankie Blackburn is here. Has been an
37 incredible partner with us. They have door-knocks on over 3,000 households to alert
38 people. The whole idea, and we started this initiative, and if you recollect from last year,
39 there was 3 partners who were involved in this. There was Health and Human Services.
40 There was IMPACT with the whole community organizing and creating a community
41 awareness, both around Neighbors Helping Neighbors but also about the fact that there is

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1 help and people should come out and ask for help and access help. And then there was
2 the Community Foundation, which has been an incredible partner in raising money, and
3 they have raised over 200--200,000? \$300,000 to support the initiative to date, and are
4 continuing with their fundraising activities, and have made grants to small and emerging
5 nonprofits, to organizations like IMPACT and Mary's Center, for them to continue to
6 support their work. So, we--the other piece, I'd say, is from the HHS standpoint. We've
7 been more standardized in cleaning up our policies so we can be clearer about who can
8 get help. And that's been helpful, particularly around--one of the trends that--at least
9 anecdotally we knew of, people who have become homeless in another jurisdiction come
10 and live with a friend for a month or a couple of weeks, have an address in Montgomery
11 County, and then would come and say that they were homeless in the county. And those
12 are the kinds of things--hard as it is--to try to see if there is a way--we have such few
13 resources. We will shelter them for a few days. We will even pay their fare back to their
14 county of origin or their jurisdiction of origin if that will be helpful, but we're not able to
15 continue to keep them in motels. We've done little things like that that we would not have
16 thought of doing in the past, and it is starting to make a bit of a difference. It is painful,
17 very, very painful, and I can't say enough how much of an impact this is having on front-
18 line staff to have to continuously be in a place where they have to deal with such
19 extraordinary need and are in a place where they have to say no, and there is tremendous
20 anxiety. There have been fights breaking out in our waiting areas. There have been some
21 very difficult issues. So, I do want to make a pitch for you to continue to be aware, to be
22 mindful of the impact that all of this is having on staff. We're continuing to advocate for
23 more investments. You know, we've gone to the state. We got a couple of--funding for a
24 couple of site expansions. We're continuing to look for other grant opportunities with our
25 partners. We're building a lot of momentum, you know, hopefully to prevent the erosion of
26 the safety net from where it is today, and the Safety Net Coalition that Mr. Leventhal
27 referred to earlier, and that which Ms. Friedman and Becky Wagner and Sharan London
28 and Tim Wiens are a part of are--are, you know, certainly partners and sort of making the
29 case. And then we--we're continuing to support our nonprofits, and to build the partnership
30 for it to be more seamless continually. So, I'll stop there, see if there are any other sort of
31 thoughts. Ms. Friedman's here to either answer questions or to speak to the document
32 that she shared. Generally, I would say that we're all struggling out there, so--

33
34 SHARON FRIEDMAN:

35 I do just have one thing that I would add, and of course, if you all have any questions, and
36 that is it's really interesting. The Mental Health Association's array of services really tries
37 to emphasize, and has emphasized for years, the importance of prevention and early
38 intervention and the importance of mental health in people's lives. What we have found,
39 though, for all of our programs, be they prevention, early intervention, or even more
40 intensive, is that the level of need of the clients coming to us is so much greater than it
41 was 5 or 10 years ago, and the client base is needing to stay with us longer. So that, for

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1 example, the child welfare client that might be in our Bridges to Pals program, whereas 5
2 years ago, they were there because they needed an important mentor, a role model in
3 their life. Now they're there because the family needs a whole array of social services, so
4 that we become, if you will, our staff and the volunteers that assist, more case managers
5 of these families than--than they ever had in the past. And then one other thing that I
6 would say to add to the--the stress that accompanies really trying to be there for our
7 clients that is upon our staff is the impact that these times have had on the volunteers.
8 And I know it's not just the Mental Health Association but the whole array of nonprofits that
9 utilize volunteers. I mean, we use 1,000 volunteers in any given year, who are mentors
10 and tutors and, you know, you name it-- volunteer counselors. The volunteer pool,
11 because of the economic times, because of job loss, inability to volunteer because they
12 are out on the job search, they have to work more hours, they're holding down two jobs, is
13 really, really impacting, again, the ability to be able to deliver the services when they are
14 needed more than ever. And, of course, I know that you all know this as well, but that
15 nonprofits' ability to leverage dollars from the private sector has greatly been reduced as a
16 result of the private sector's being hit by the recession as well.

17
18 COUNCIL PRESIDENT ANDREWS:

19 Thank you very much for the presentations and--you know, sobering in terms of the
20 challenges that you're dealing with. I think that one of the priorities the Council had in
21 approving the budget this year was to protect the safety net, since we know it's under so
22 much strain, and that, as you noted, it's harder for people to find the time or money, in
23 many cases, to support the organizations, charitable organizations that they might have
24 supported before but are hard-pressed to do so now, so it's even more important for there
25 to be a safety net in place that we help sustain, which was one of the reasons the Council
26 put so much emphasis on that in this budget we just adopted. I'll turn to Councilmember
27 Trachtenberg, then Councilmember Leventhal.

28
29 COUNCILMEMBER TRACHTENBERG:

30 Thank you, President Andrews. I'm just going to make some brief remarks. I don't really
31 have any questions, but I know I speak for my colleagues when I state that we're very
32 grateful for the presentation this morning, and again, the trending is not what we want to
33 see. We should feel good that we have a response, however imperfect we might think it is,
34 because clearly, the need is growing, and as I've been saying for a long time, it's at times
35 like this that what the county government and nonprofit partners in the community can
36 provide that is when it's even more important, because a lot of times, people don't have
37 any other opportunity than that. And that, of course, is a sobering thought, especially at a
38 time when we know resources are shrinking, and certainly, we're concerned about dollars
39 that are coming from the state and even dollars that might come our way from federal
40 government, although again, I think under the leadership of our department as well as with
41 the assistance of our partners in the community, we've made a great attempt and have



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1 been very successful at receiving funding from both the state and federal government, but
2 we know that some of those dollars are-- are not gonna be there. I was particularly struck-
3 - again, I don't think it surprised my colleagues--with some of the information that Ms.
4 Friedman provided around mental illness here in the county, and I just last week had
5 looked at two SAMSA studies that had come out, and I'm just gonna raise two points from
6 my reading because they're so germane to what has been raised this morning. One study
7 around mental health, behavioral health needs of seniors, shows that 30% of-- 29% of
8 adults over the age of 55 have a diagnosable mental health need, and what was
9 fascinating to me is that that need was very much directly linked to economic stability. In
10 other words, the issue of lost income, retirement benefits, perhaps foreclosures, even the
11 economic challenges of children and grandchildren, so it's very clear that we are going to
12 see over the course of the next few years more and more of an increase of need and
13 more a need for local communities to have adequate community-based programming, and
14 the other thing that I had read in a separate report on adolescent suicide is that suicide is
15 the third leading cause of death for young adults under the age of 19, and, again, in
16 examination of that, there is a link to decreased opportunities, educational opportunities,
17 and even family status stability, in other words, loss of homes, moving into homeless
18 shelters, and the like, and I just found that particularly profound when I read it, and I'm
19 sure that we've got adults calling that hotline, but I would guarantee that we have a
20 number of young people, as well, that are calling. In fact, what comes to mind is two
21 recent suicides here in Montgomery County that actually were committed by young adults
22 under the age of 25. So, it really is about resources and supporting families here in the
23 community and our nonprofit partners, and we will continue to clearly do that. I know the
24 Council President spoke of the commitment that this body had during last year's budget
25 season. I know the Executive, as well, has articulated that because we do believe that
26 there is an obligation to continue the commitment here in Montgomery County to our most
27 vulnerable citizens, and I would just again state for the public record that they must
28 continue to remain in our hearts and our minds as we set and maintain budgetary
29 priorities, and I hope that we'll be talking to you again by the end of the calendar year
30 because the updates that you provide are really most beneficial, and they help to further
31 the right and useful public conversation about the vulnerable that we serve. Thank you.

32
33 COUNCIL PRESIDENT ANDREWS:

34 Thank you, Councilmember Trachtenberg. Councilmember Leventhal.

35
36 COUNCILMEMBER LEVENTHAL:

37 Well, I want to associate myself with Councilmember Trachtenberg's comments. They
38 were very well stated, and I appreciate them, and I wanted to highlight what the Director
39 has highlighted twice here, which is the effect on county staff of the economic hard times,
40 of the increased caseload, the increased workload, and it is sociologically very interesting.
41 It's not unique to Montgomery County, but our entry-level intake workers, case workers, in



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1 many cases, are not making much more and sometimes less than their clients. Their
2 clients have more uncertainty. Their clients may be facing emotional crisis, as Sharon
3 Friedman mentions. You know, you may have calls to the suicide hotline, but what we pay
4 to an entry-level case worker, an entry-level intake worker is well below the self-
5 sufficiency guideline to support a family in Montgomery County, and I make this point
6 because the Director made it twice, and I hope my colleagues are listening. When we
7 hear at the Council or when we hear from the public the way to solve our budget crisis is
8 more sacrifice from public employees, our public employees are making sacrifices. The
9 workload is way up--the client load, the caseload, way up--and as we look at the next
10 year's budget--and we're gonna be in this economic challenge for some years to come--
11 we do have to remember that there are employees who--with all due respect to
12 department heads and branch chiefs and, you know, the very highly paid people who we
13 interact with--may be able to make some sacrifices, but when you look to rank-and-file
14 workers who are doing this kind of intake, who are doing this kind of casework, they're not
15 making a lot of money, and the conversations we have around this dais where somehow
16 occasionally we look at employees as the problem, we got to recognize that these folks
17 are making sacrifices every day. The workload is increasing. The challenge of the job is
18 increasing, and, because the Director highlighted it twice, I want to make sure that my
19 colleagues are listening. So, we do have a lot of very low-paid employees, and those are
20 the people who are engaged in this challenge that Uma is describing, and so we need to
21 think about the effects. When we talk about across-the-board givebacks, when we talk
22 about across-the-board sacrifice, I'm not with that program. There are employees who
23 can't afford to make further sacrifices, and, frankly, there may be other employees who
24 could afford to make sacrifices, but we got to differentiate between who's really bearing
25 the burden in these economic hard times, and that includes our own county staff.

26
27 COUNCIL PRESIDENT ANDREWS:

28 OK. Thank you, Councilmember Leventhal. Councilmember Navarro.

29
30 COUNCILMEMBER NAVARRO:

31 Thank you so much for this information, and I just want to echo my colleagues' comments,
32 especially want to recognize and really send a message of appreciation to those front-line
33 staff because there is no doubt that they go out of their way. Many of them, you know,
34 work very late hours outside of their "schedule" to provide that support, and the same
35 goes to the nonprofit. Our nonprofit partners are essential, and both, you know, Sharon
36 Friedman with the work that you've done over so many years impact Silver Spring. That
37 has been an outstanding organization truly, truly going to places where nobody has gone
38 before to empower members of our community who otherwise would not even know
39 where to find these resources or this information. Now more than ever, I think it's really
40 critical that we continue to focus on how we can provide support to these nonprofits who
41 have proven to be there, who have proven to have outcomes throughout the years, and

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1 who are now facing such pressures to go out of their way. So, I commend you for the work
2 that you do. I know it's very hard, and I know that even directors of nonprofit, you know,
3 lose sleep and cry sometimes because you do feel really powerless at times like these,
4 and so, you know, just wanted to let you know that you do have plenty of support over
5 here and that we do have to think about those who are trying to do their best and
6 sometimes take money out of their own pockets to provide some sense of relief, and the
7 other thing is that, you know, we always have this picture in our mind in terms of who are
8 the most vulnerable, and we think that they're simply people who over the years, through
9 generations, have been affected by poverty, but this recession is affecting so many people
10 who've never before known, what, you know, facing maybe eviction or facing not being
11 able to pay your mortgage. You know, it really is a different story, and the fact that our
12 front line and our staff and our nonprofits have been able to step up to deal with immigrant
13 community, with middle-class people who no longer, you know, are able to make ends
14 meet, et cetera, puts additional pressure, so I just commend you, and, you know, we will
15 keep an eye on everything over here as much as we can. Thank you.

16
17 COUNCIL PRESIDENT ANDREWS:

18 Thank you, Councilmember Navarro, and I know I do speak for the entire Council when I
19 say that we appreciate the hard work and the sometimes wrenching choices, as you
20 describe, that are being made by our front-line staff and by those in the nonprofit
21 organizations that are partners and working to provide services to people under great
22 stress.

23
24 FRANKIE BLACKBURN:
25 Can I just add one thing?

26
27 COUNCIL PRESIDENT ANDREWS:
28 Yeah.

29
30 FRANKIE BLACKBURN:
31 I just wanted to--sorry. My voice is really terrible. Frankie Blackburn with IMPACT, Silver
32 Spring.

33
34 COUNCIL PRESIDENT ANDREWS:
35 Yeah. Good to see you.

36
37 FRANKIE BLACKBURN:
38 If Tim Warner were here, he'd probably pop up. He and I are organizing and wanted to
39 reach out of you individually but as a group, too, to say we're trying to get folks to go door
40 knocking with us on Community Service Day, October 24, in Gaithersburg and in Long
41 Branch, and so we'll be reaching out to you, but we'd love to have you come with us since

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1 you all have all done door knocking--I know that--to be where you're at, but this is a
2 different kind of door knocking, and we'd love to have you come with us, so--

3
4 COUNCIL PRESIDENT ANDREWS:

5 OK. Look forward to hearing from you.

6
7 FRANKIE BLACKBURN:

8 We'll be in touch.

9
10 COUNCIL PRESIDENT ANDREWS:

11 OK. Thank you. Councilmember Floreen.

12
13 COUNCILMEMBER FLOREEN:

14 Thank you. I certainly join everyone in their comments and support for what you do, and I
15 think George's observations about your ability to support staff to provide this service is
16 incredibly important, and I was taken by some of the comments that you've made,
17 actually, and MHA's fax sheet. I think that's helpful for us to know. It's really important to
18 get the word out, I think, about what you need, and I wanted to ask what MHA--Sharon,
19 what you're saying here is, you're looking at challenges and contributions and volunteer
20 time. Does the nonprofit community as a whole have some information about that? I
21 mean, we need to let our community know that there are significant needs that we need to
22 step up to the plate for.

23
24 SHARON FRIEDMAN:

25 I wouldn't say that there's been a formalized report issued that would give you information
26 about decreased volunteerism and decreased contributions, but it's certainly information
27 that many of my nonprofit colleagues have that could be put together and forwarded for
28 your information and for us to use to make the case, if you will, for, you know, how these
29 diminishing contributions, both from a volunteer perspective and from a financial
30 perspective and even an in-kind perspective, have clearly affected the ability to leverage
31 the public funds, so certainly, that is the kind of information that's available.

32
33 COUNCILMEMBER FLOREEN:

34 Well, let's see what we can do to work together to get the word out collectively for the
35 nonprofit community. I know, of the ones I'm involved in, it's a real challenge, and it's good
36 to have you say this publicly to help us recognize that need and worry about how we can
37 help you.

38
39 SHARON FRIEDMAN:

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1 The other thing that we could certainly do is the Nonprofit Montgomery organization is in
2 transition in leadership right now, but it's the kind of thing that we could, perhaps, call
3 upon them to help us bring together, as well.

4
5 COUNCILMEMBER FLOREEN:

6 They would seem to be uniquely situated to help with that, so perhaps some work on that
7 can be initiated. That'd be great. Thank you. Thank you all for your hard work.

8
9 COUNCIL PRESIDENT ANDREWS:

10 OK. Thank you, Councilmember Floreen. Is there anything else you wanted to bring to our
11 attention?

12
13 SHARON FRIEDMAN:

14 Thank you.

15
16 COUNCIL PRESIDENT ANDREWS:

17 OK. Thank you for the good work, and we'll hear back from you, I'd say, in about--bring
18 you back for another update in about 3 months. Thanks. OK. That concludes our morning
19 session. We're now gonna meet with our Planning Board colleagues upstairs for lunch
20 and discussion. That will be in the fifth floor conference room.

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TRANSCRIPT

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MONTGOMERY COUNTY COUNCIL

PRESENT

Council President Phil Andrews

Councilmember Michael Knapp

Councilmember Marc Elrich

Councilmember Valerie Ervin

Councilmember Nancy Floreen

Councilmember George Leventhal

Councilmember Duchy Trachtenberg

Councilmember Nancy Navarro



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1 COUNCIL PRESIDENT ANDREWS:

2 Good afternoon and welcome to public hearings of the County Council this afternoon. We
3 have 3, and then we have a public hearing tonight on the growth policy with approximately
4 55 speakers. So, the hearings this afternoon will be briefer than that one, but we thank
5 you all for coming out if you're here to testify. And if you're here just to watch, that's great,
6 too. The first hearing will be a public hearing on a resolution regarding Spending
7 Affordability Guidelines for the FY11 Capital Budget and FY11-16 Capital Improvements
8 Program. Persons wishing to submit additional material for the Council's consideration
9 should do so before the close of business Thursday, September 24, 2009. A Management
10 and Fiscal Policy Committee work session is tentatively scheduled for Tuesday,
11 September 29th at 2:00. If you are testifying, we have 3 speakers on the first public
12 hearing. Please remember to introduce yourself. And each speaker this afternoon will
13 have up to 3 minutes. At 2 1/2 minutes, a yellow light goes on indicating you have 30
14 seconds left. Red light goes on at 3 minutes. Our speakers on the first hearing will be Joe
15 Beach, representing the County Executive; Royce Hanson, representing the Montgomery
16 County Planning Board; and Shirley Brandman, the President of the Board of Education.
17 Welcome to you all, and Mr. Beach, you're first.

18
19 JOE BEACH:

20 Thank you, Mr. Andrews. Good afternoon. I'm Joseph Beach, Director of the Office of
21 Management and Budget, and I'm here to testify on behalf of County Executive Isiah
22 Leggett on the Spending Affordability Guidelines for the FY11 Capital Budget and the
23 FY11-16 Capital Improvements Program. The County Executive recommends the Council
24 adopt Spending Affordability Guidelines for county bonds with 325 million planned for
25 issue in FY11 and FY12 and 310 million in bonds planned for issue in FY13-16, for a total
26 of 1.89 billion in bonds for the 6-year period. This represents an increase of 50 million or
27 approximately 2.7% from our currently approved spending guidelines for the 6-year
28 period. We believe these annual amounts are consistent with the standard affordability
29 determinations as calculated in the debt capacity analysis. The potential pressures on
30 funding in addition to community expectations for project delivery on schedule indicate
31 that we should be very careful at this early stage in our planning not to overextend our
32 capacity. We recommend against even higher levels at this time because of the
33 constraints that higher debt service levels will place on future operating budgets. The
34 Maryland National Capital Park and Planning Commission has requested Spending
35 Affordability Guidelines for Park and Planning bonds at 7.5 million in FY11, 6 million in
36 FY12-16, for a total of 37.5 million for the 6-year period. This represents an increase of
37 7.5 million or 25% over the currently approved spending guidelines. MNCPPC is
38 requesting this increase because of the state's reduction to Program Open Space aid. The
39 Executive recommends 5 million annually and 30 million for the 6-year period in order to
40 preserve a manageable debt service level in the park fund. This recommendation is
41 consistent with protecting our capital investments and our parks and extending the current

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1 debt management plan. Thank you for allowing me this opportunity to speak to the
2 Council on this matter.

3
4 COUNCIL PRESIDENT ANDREWS:

5 Thank you. Our next speaker will be Chairman of the Planning Board Royce Hanson.

6
7 ROYCE HANSON:

8 Thank you, Mr. President. I'm Royce Hanson. I'm Chairman of the Montgomery County
9 Planning Board. I'm here today to ask Council to increase the Spending Affordability
10 Guidelines for Park and Planning bonds from 5 million per year to 7.5 million in Fiscal
11 Year 11 and 6 million per year for Fiscal Years 12-16, or 37.5 million for the 6-year period.
12 The increase of 2.5 million in Fiscal Year 11 and 1 million per year in the out years will
13 allow us to replace some of the funding capacity lost to large declines in state Program
14 Open Space funding. The park fund's 6-year projections show that the increase in debt
15 service can be accommodated in the park fund budget and fits well within our debt
16 capacity for debt payments. One measure of debt capacity is a ratio of debt service to
17 general fund expenditures. It's expected to be about--or projected to be about 5% in Fiscal
18 Year 11 in Park and Planning bonds, which is well below the 10% target limit. Our debt
19 capacity analysis assumes this modest growth in Park and Planning bonds each year. In
20 order to minimize the impact on the park fund in Fiscal Year 11, we can defer any
21 principal payments until Fiscal Year 12 and pay only half of the year's interest in Fiscal
22 Year 11. This calculates approximately 68,000 in additional debt service for an additional
23 2.5 million Park and Planning bonds. The increases in Fiscal Years 11 and 12 will allow us
24 to continue as planned with the construction of a new urban park at the Germantown
25 Town Center. Most of the approximately 7 million in appropriation for design and
26 construction of the park was comprised of Program Open Space funds that were not
27 realized as a result of the drastic decline in those funds over the last 2 Fiscal Years. In
28 order to keep on schedule, this highly anticipated park in the newly developed
29 Germantown Town Center, we believe that the unrealized Program Open Space funding
30 needs to be addressed through an increase in Park and Planning bond SAG for those
31 years. This will allow us to adequately fill with Park and Planning bonds the funding gap
32 left by the unrealized Program Open Space. Without this, it's gonna be impossible to fund
33 this project with Park and Planning bonds. We are hopeful that the Executive will
34 reconsider the limits on this. The increases in Fiscal Years 13-16 will allow us to
35 effectively carry out local park renovations and new construction currently being facility
36 planned. Our regular practice has been to largely fund these local parks with POS funds.
37 We ask the Council, then, to approve the 7.5 million for SAG for 11 and 6 million for the
38 out years to keep on schedule the construction of the Germantown Town Center urban
39 park and continue implementing facility plans for local parks. Thank you.

40
41 COUNCIL PRESIDENT ANDREWS:

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1 Thank you, Chairman Hanson. Our final speaker on this panel will be Shirley Brandman,
2 the President of the Board of Education.

3
4 SHIRLEY BRANDMAN

5 Good afternoon, President Andrews and members of the Council. I am Shirley Brandman
6 on behalf of the Board. First I must thank the Council for your ongoing support of our
7 capital projects. Our capital budget depends on several critical funding sources, but as
8 you know, the most important of these revenue sources is the general obligation bonds. In
9 setting the Spending Affordability Guidelines for the level of debt for the county is the
10 critical first step in developing the next 6-years' CIP. It is even more important this year
11 since the entire CIP is being reviewed. We believe there is an opportunity this year to
12 address both our capacity needs and our aging school facilities. There have been years in
13 the past decade when the economic situation prevented this dual focus, but this year is
14 different. The current economic conditions have resulted in significantly lower construction
15 prices and lower interest rates. As a result, we have a unique opportunity to sell bonds to
16 fund both capacity projects and modernization projects. We need to do this before
17 construction prices return to their previous levels of more than \$280 per square foot. 3 or
18 4 years from now, we may be paying 30% to 40% more per square foot for construction.
19 The County Council packet included 4 scenarios to increase SAG, with a 6% being the
20 largest increase. Though we actually urge the council to do more. If the Council does not
21 take maximum advantage of the current conditions and increase the SAG by at least 10%
22 above the current limits or commit a larger share of the bonds to our schools, it will be
23 difficult to both fund the capital projects that are vital to address our enrollment growth and
24 our aging facilities. Now is the time to leverage current market conditions to fund our
25 capital projects with general obligation bonds, avoiding competition for current revenue
26 that is critical to the operating budget. MCPS has seen an increase of 3,700 students in
27 the last 2 years, with almost the entire increase at the elementary school level, where we
28 currently have the greatest space shortages. Our CIP must also address our older
29 schools, many of which are reaching a point where significant investment and capital
30 maintenance is being required to address aging infrastructure. In the past, the
31 modernization program has been slowed down to support funding for capacity and other
32 priorities. But the capital needs of our older schools and our aging infrastructure must be
33 addressed at these optimal interest rates to ensure that we can provide the instructional
34 space that is necessary to deliver our programs. We urge you to consider all of these
35 issues in your deliberations on the SAG. We understand that Spending Affordability
36 Guidelines are intended to be developed based on what is affordable and not what is
37 needed. And the task you face to determine what is affordable this year will be much more
38 difficult because of the economic outlook. However, the Board of Education does not
39 believe that we can afford to let our schools become more overcrowded or to let our
40 school infrastructure needs go unaddressed. We are confident that we can continue to
41 work together for our children to fund these critical needs. Thank you.

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1
2 COUNCIL PRESIDENT ANDREWS:

3 Thank you, President Brandman, and all for your testimony. I just want to let President
4 Brandman know that this morning after several hours of debate, your appointment to the
5 Domestic Violence ... Commission was confirmed on a vote of 8-0.

6
7 SHIRLEY BRANDMAN

8 I'm most thankful to all of you.
9

10 COUNCIL PRESIDENT ANDREWS:

11 And look forward to serving with you. I know that you have many committees that you
12 serve on and that is an important one, and we appreciate your willingness to do that. All
13 right, Councilmember Leventhal?

14
15 COUNCILMEMBER LEVENTHAL:

16 Mr. Beach, I am taking note of your statement here regarding spending affordability that
17 potential pressures on funding indicate we should be very careful not to overextend our
18 capacity, and we recommend against higher levels of debt at this time. I have to alert you
19 that this morning, prior-- in front of the Council, there was a profligate spender who was
20 urging extraordinary amounts of debt and reassuring the Council that it would be just fine
21 if we took on unprecedented debt levels. And I know that if you met him, you would give
22 him a stern warning. His name was Joe Beach. And maybe you and he could get together
23 sometime and clarify exactly what your guidance is to the County Council in terms of the
24 amount of debt load that the Council can handle. Now, subsequent to the Council's vote,
25 we got a delightful press release from the County Executive saying that we're a future-
26 oriented, policy-minded--the praise was effusive for the County Council, that we are
27 mapping out a bright future for all the residents of this county and planning for our future
28 needs. And I'm looking forward to the press release that the County Executive will issue
29 about a month from now when we actually adopt spending affordability, that will say we're
30 imprudent and irresponsible and we've exceeded the stern warnings by our OMB Director
31 Joe Beach, that we just can't handle a debt load. So I guess I'm just wondering if Joe
32 Beach and Joe Beach could get their stories straight.
33

34 JOE BEACH:

35 Well, Mr. Leventhal, obviously we don't consider what we recommended this morning as
36 part of the supplemental appropriations the Council approved--we're very grateful for that
37 this morning-- was profligate at all. It's part of a financing plan that we can consider as
38 self-supporting. It's a comprehensive financing plan. It's oriented toward economic
39 development. So, I don't find any inconsistency whatsoever between what we're
40 recommending here this afternoon and what we recommended this morning.
41

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1 COUNCILMEMBER LEVENTHAL:

2 Well, maybe you don't. I guess we can all rationalize just about anything we want to
3 rationalize. I'm comfortable voting the vote that I cast this morning, which you supported,
4 and I'll be comfortable, just as I have consistently in voting for a Spending Affordability
5 Guideline that, in my judgment, meets the needs of our school system and our parks
6 system, and all of the other needs that people have around the community. And I fully
7 expect to get criticized for it by the County Executive, despite the fulsome praise we got
8 from the County Executive this morning. So, I guess my point is maybe we could work
9 through these issues together in an atmosphere where we don't get either praised for
10 doing the very same thing that we're going to get criticized for in just a few weeks. And I
11 know that you and Ms. Barrett really believe that there's an enormous difference between
12 270-day paper and 10-year bonds, and thank you for educating me on that. I feel much
13 better informed about it now, but I think it's a distinction without a difference. It does seem
14 to me that one could make the case that debt is debt. And I'm just very simply hoping that
15 when we adopt Spending Affordability Guidelines consistent with what the practice of this
16 Council has been, that we might--and this is my real point--avoid that press release from
17 the County Executive that's sure to come, taking shots at us at our expense.

18
19 JOE BEACH:

20 Understood.

21
22 COUNCIL PRESIDENT ANDREWS:

23 Thank you, Councilmember Leventhal. That concludes the questions and concludes
24 public hearing. Thank you all very much. An MFP committee work session is tentatively
25 scheduled for September 29th.

26
27 COUNCILMEMBER FLOREEN:

28 Next Tuesday.

29
30 COUNCIL PRESIDENT ANDREWS:

31 That's right. It's coming up fast. All right, our next public hearing is on a special
32 appropriation to the Maryland National Capital Park and Planning Commission's FY10
33 operating budget for the Department of Parks Enterprise Fund in the amount of \$150,000
34 for the Sligo Creek Golf Course. Persons wishing to submit additional material for the
35 Council's consideration should do so before the close of business Friday, September 25,
36 2009. A Planning, Housing, Economic Development Committee work session is tentatively
37 scheduled, I think, for the 24th. So... We have a number of speakers for this item. I think
38 11 speakers. And I'm gonna have them up in 3 panels. Oh, I see someone who looks
39 familiar. Nice to see you again. 2 people, actually. So, let me first, though, turn to
40 Councilmember Ervin, who wanted to make a comment.



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1 COUNCILMEMBER ERVIN:

2 Yes, thank you very much, Council President Andrews. I want to thank the Chair of the
3 PHED Committee for scheduling a discussion on the future of Sligo Creek Golf Course for
4 Thursday. I appreciate his willingness to look at alternatives to reduce potential impact on
5 the budget. However, with a closing date of October 1 looming over the golf course, I'm
6 asking the Council President to reserve time on next Tuesday's agenda to consider the
7 special appropriation of \$150,000. This amount represents the operating costs associated
8 with keeping the golf course open for 12 months. I'm concerned that if we don't have a
9 concrete agreement on how to keep the course open after the PHED Committee, there is
10 nothing currently on the County Council's agenda to bring back this item to full Council.
11 So, I'm asking that we take this up, and I appreciate all the support that I've received from
12 all Councilmembers and especially the chair of the PHED Committee.

13
14 COUNCIL PRESIDENT ANDREWS:

15 Thank you, Councilmember Ervin. Yes, there will be time on the agenda next Tuesday for
16 the Council to take this up.

17
18 COUNCILMEMBER KNAPP:

19 Council President, I suggested after lunch this morning, and so we've got that scheduled
20 for Thursday in committee and Tuesday for the full Council.

21
22 COUNCIL PRESIDENT ANDREWS:

23 All right, thank you. Our 3 speakers for this panel will be Diane Schwartz Jones,
24 representing the County Executive and Delegate Ben Kramer. Diane Schwartz Jones,
25 you're first.

26
27 DIANE SCHWARTZ JONES:

28 Thank you, Mr. Andrews. Good afternoon, Council President Andrews and members of
29 the County Council. For the record, my name is Diane Schwartz Jones, and I'm pleased to
30 provide this testimony on behalf of County Executive Isiah Leggett in support of his
31 pending request for supplemental appropriation in the amount of \$150,000 to the FY10
32 operating budget for the Maryland National Capital Park and Planning Commission for the
33 purposes of continuing golf operations at the Sligo Creek Golf Course through this fiscal
34 year. Mr. Leggett recognizes that golf is a recreational activity that can and should be self-
35 sustaining. The Sligo Creek Golf Course has not been financially self-sustaining and is
36 therefore scheduled to be closed effective October 1, 2009. Nonetheless, the County
37 Executive has made this request for supplemental appropriation in response to the
38 extensive comments and concerns that have been raised about the closure of the Sligo
39 Creek Golf Course. For this reason and recognizing that it will cost more at this time to re-
40 create the Sligo Creek Golf Course into a recreational facility of a different nature, the
41 Executive believes it is worth a modest investment to keep the golf course open while the

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1 public, the County Executive, the County Council, the Revenue Authority, and Park and
2 Planning work collaboratively and swiftly to find a solution to keep golf operations at Sligo-
3 -a model that is structured so Sligo can achieve self-sustaining operations and so that the
4 general revenues of the county are not diverted to pay for something that can and should
5 pay for itself. The County Executive believes that it is critical that all stakeholders have a
6 voice in the ultimate solution and that the various interests must work together openly and
7 collaboratively to explore options and come up with a solution. Upon appropriation of the
8 funds for operation of the golf course, the County Executive plans to immediately establish
9 a Sligo Creek Golf task force comprised of representatives from the surrounding
10 communities, user interest, the Revenue Authority, the County Council, Park and
11 Planning, and Executive staff. This group will commence work immediately to come up
12 with a solution that will meet recreation needs, not fracture a community, and enable an
13 operation that is successfully covered by its own revenue- generating activities. The funds
14 that have been requested are the minimum funds needed to cover the operating expenses
15 for the golf course through the next Fiscal Year. Without these funds, the course must
16 close on October 1st. In an ideal world, a solution could be identified, and implemented
17 immediately and seamlessly. The reality is, though, that a workable solution must be
18 devised, with all interests represented in the process and with time to put the pieces
19 together to implement the solution. A solution needs to be pursued diligently and swiftly
20 and the requested appropriation will allow this opportunity. The Sligo Creek Golf Task
21 Force can report back to the County Council within 90 days to advise of its progress. Mr.
22 Leggett urges the County Council to immediately authorize the modest amount of funds
23 necessary to keep Sligo Creek Golf Course open so that the discussion can turn to how to
24 keep it operating successfully. Thank you for your consideration.

25
26 COUNCIL PRESIDENT ANDREWS:

27 Thank you. Our next speaker will be delegate Ben Kramer. And just let me mention, each
28 speaker has up to 3 minutes. The yellow light goes on with 30 seconds to go.

29
30 BEN KRAMER:

31 Thank you. Good afternoon, President Andrews, members of the Council. It's a pleasure
32 to be here today. And the reason I am seated here today is to discuss the issue before
33 you, which is whether it is appropriate to fund \$150,000 for the continuing operation of the
34 Sligo Creek Golf Course. I would offer to you that the proper short-term action would be to
35 invest an additional \$150,000 into a multimillion dollar taxpayer-funded asset. The
36 alternative would be to spend an exorbitant amount of money to shut down this county
37 amenity and allow a valuable asset to overnight become worthless. Hardly the definition of
38 fiscal prudence. Long-term, I would charge our Council with the task of determining
39 whether Sligo Golf Course is indeed adverse to the Revenue Authorities golf system, as
40 represented by the authority, or simply a victim of a contrived process designed to punish
41 the Sligo Creek community for their reluctance to have their neighborhood character

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1 negatively altered by radical changes to the Sligo Golf Course--changes proposed by the
2 Revenue Authority. The accounting practices of the Revenue Authority with regard to
3 Sligo and its financial viability bears scrutiny and should not go unchallenged. The
4 manipulation of Revenue Authority management fees charged to Sligo Creek and the
5 other golf system courses has placed a disproportionate burden on Sligo and has created
6 the impression that Sligo is losing money. I have forwarded to each of you
7 correspondence addressing my concerns with this entire issue. I would ask that you take
8 a brief moment to read them if you've not done so already. I personally do not believe that
9 Sligo Creek Golf Course is losing money. Unfortunately, the hour grows late and without
10 immediate funding of the proposed \$150,000 subsidy, the course will close forever. That
11 would be unacceptable. I appreciate the professional manner in which the Revenue
12 Authority operates the courses in the golf system. But at the end of the day, the Revenue
13 Authority exists to provide amenities to the residents of Montgomery County. The golf
14 system as a whole is undeniably profitable and subsidizes the Montgomery Airpark. Even
15 with the manufactured losses at Sligo, the golf system remains highly successful. I
16 applaud County Executive Leggett for his recognition of the importance of maintaining this
17 valuable recreational amenity. I trust that you, our Councilmembers, will take the
18 responsible course of action and provide the requested funding to retain this important
19 asset. In doing so, you will restore a sense of public confidence that our local government
20 is indeed working on behalf of, not against, its residents. Thank you, and I'd be happy to
21 entertain any questions you might have.

22
23 COUNCIL PRESIDENT ANDREWS:

24 Thank you, Delegate Kramer. [Applause] I don't think there are any questions at this point.
25 Oh, Councilmember Ervin. I'm sorry.

26
27 COUNCILMEMBER ERVIN:

28 I just have a comment. I think that everybody at this dais has listened very carefully to all
29 of our constituents in the community who have raised their voices in concern about
30 keeping this golf course open. I personally don't appreciate the finger-pointing at this
31 Council as if we were the cause of the situation. But I will say since you seem to be very
32 engaged in the conversation, which I'm very happy to hear, what are your ideas coming
33 from the state house to give us a little hand in funding for the overall long-term viability of
34 this golf course?

35
36 BEN KRAMER:

37 Councilmember Ervin, I'm not sure what you interpreted as finger-pointing at the Council. I
38 thought my testimony was very clear that the finger- pointing here is at the Revenue
39 Authority. Now, certainly, I feel that you, as a Councilmember, should look closely at what
40 the Revenue Authority is doing, but we have a quasi-government agency that basically, I
41 believe, is misrepresenting to this body what the finances of Sligo Creek Golf Course are,

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1 and so I think if there's finger-pointing, it needs to be done looking very closely at the
2 accounting practices of the Revenue Authority. I am pleased that you are an advocate for
3 the preservation of the Sligo Creek Golf Course, and I hope that your colleagues on the
4 Council will join you. With regard to long-term capital improvements at the course or
5 infrastructure costs, I would quickly direct you to the fact that there is \$5 million in the
6 Capital Improvements budget for soccer fields at the North Four Corners Park--soccer
7 fields which are not supported by anyone in that community. So I think you could have a
8 win-win situation if you're looking for resources to put into the infrastructure of the golf
9 course simply with the stroke of a pen. You could have a win-win. You can save the North
10 Four Corners Park and save Sligo Golf all at the same time. With regard to state funding,
11 my understanding is that someone from the Council had mentioned-- made reference to a
12 bond. Unfortunately, there is no state bonding for operational costs. The only bonding is
13 afforded for Capital Improvements, and there are very strict guidelines for those capital
14 improvements. But I would be more than happy to sit down with you and take a look--if
15 there's something at the state level can be afforded to the Council in support of saving
16 Sligo Golf, I would be receptive to the prospect of sitting down and meeting with you and
17 holding that conversation. Absolutely.

18
19 COUNCILMEMBER ERVIN:

20 I would be very excited about that prospect because Sligo Creek is going to need at least
21 \$2 million worth of Capital Improvements, according to the figures we've seen, so I
22 would... welcome your suggestion to sit down and meet with me or any other member of
23 this Council to come up with a plan for receiving some of that money from the state.

24
25 BEN KRAMER:

26 My pleasure.

27
28 COUNCIL PRESIDENT ANDREWS:

29 Thank you, Councilmember Ervin. Councilmember Leventhal?

30
31 COUNCILMEMBER LEVENTHAL:

32 Well, just to elaborate on the suggestion of finger-pointing, I assure you as one who was
33 here when the decision was made to try and get the Revenue Authority to run a golf
34 course, is because it had a better track record of running golf courses profitably than Park
35 and Planning had, that that decision was not made with the intention of punishing any
36 community and certainly not a dense population-rich inside- the-beltway community,
37 where a significant portion of Councilmembers happen to live. So, the suggestion that
38 anyone made any decision with the intent of punishing the vicinity of Sligo Creek is
39 demagoguery. As far as what we're trying to work out with the golf course, I appreciate
40 Councilmember Ervin's leadership. I appreciate Councilmember Knapp's meeting with the
41 community advocating to keep Sligo Golf Course open. A majority of Councilmembers



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1 have expressed a desire to keep Sligo Golf Course open. We're trying to map out realistic
2 and pragmatic options that acknowledge the point that Councilmember Ervin made, which
3 unfortunately County Executive Leggett has not acknowledged--that the cost of keeping
4 the golf course open is not \$150,000 for the coming year. We're taking a big risk if we
5 don't also address the \$2 million capital cost that Councilmember Ervin pointed out. So
6 the cost is much greater than \$150,000. If we appropriate the 150,000, it will be on a hope
7 and a prayer that we can get through a year without significant capital costs emergency
8 that would prohibit the use of the golf course. So we're taking this very, very seriously.
9 We're mapping out options in a very thoughtful way and working closely with the
10 community and assuredly not punishing any community. That has absolutely never been
11 the intent of any of the decisionmakers here.
12

13 COUNCIL PRESIDENT ANDREWS:

14 Thank you, Councilmember Leventhal. Thank you both for your testimony. Our next panel
15 will be Robin Ficker, representing Robin Realty; Bruce Sidwell, representing the Friends of
16 Sligo Creek; Dwight Kramer, speaking as an individual; and Dollie Wolverton, speaking as
17 an individual. And each of you will have up to 3 minutes. There is a button to the left.
18 That's it. The yellow light will go on with 30 seconds to go. Mr. Ficker, you're first.
19

20 ROBIN FICKER:

21 Thank you. We are going to fight to keep Sligo Golf open, at the public hearings. We are
22 going to fight to keep Sligo Golf open on the Internet. We are gonna fight to keep Sligo
23 Golf open in the newspapers, the radio, and TVs. We're gonna fight to keep Sligo Golf
24 open at all the homes along the major highways in Montgomery County, especially
25 southern Montgomery County. We're gonna fight to keep Sligo Golf open in the courts and
26 administrative hearings. We are gonna fight to keep Sligo Golf open no matter what. Let's
27 compare Sligo Golf Course with Crown Farm. Sligo Golf Course is twice as big. It's near 2
28 Metro stops. It's a few feet from the Beltway. It's near the purple line. Anyone who enjoys
29 thinking about the development at Crown Farm would be way overjoyed to think about the
30 closing of Sligo Golf because we know what could be built there. Where can the money
31 come from, this \$150,000? Well, I can think of one place. Aristotle did not teach Alexander
32 the Great with 1,100 non-teaching administrators earning over \$100,000 each looking
33 over his shoulder. Each one of these salaries, when you combine pensions and benefits,
34 is about the cost of \$150,000 a year. Just one of those jobs would keep Sligo open, not
35 counting the capital improvements. We have the money. All we're asking for is a little
36 more than 1/4 of 1% of 1% of the county budget. We want to keep Sligo open. I used to
37 play golf there in the fifties. There was no talk of closing Sligo. I played golf there in the
38 sixties. There they abbreviated the course because the Beltway went through. They didn't
39 talk about closing it. I played golf there in the seventies. No talk of closing it. In the
40 eighties, no talk. In the nineties, no talk. Why now? What has changed? Why is this

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1 beautiful gem, this clean lung--why are we talking about closing it just now? What's
2 changed?

3
4 COUNCIL PRESIDENT ANDREWS:

5 Thank you, Mr. Ficker. Our next speaker will be Bruce Sidwell, representing Friends of
6 Sligo Creek.

7
8 BRUCE SIDWELL:

9 For the record, I'm Bruce Sidwell. I'm a resident of Takoma Park-- I got it. Thank you. As
10 was just said, I'm Bruce Sidwell. I'm President of Friends of Sligo Creek, resident of
11 Takoma Park. And Friends of Sligo Creek, for those of you who aren't familiar with us, is
12 an all-volunteer organization that works to protect and improve the natural qualities of the
13 park and the surrounding watershed. We work to control litter. We even have a big event
14 coming up this weekend, if anybody has time. And invasive plants as well as improve
15 water quality and habitat for wildlife and native plants. Planning for the future of the golf
16 course site is very important to us, because at 65 acres, it is more than 10% of the
17 Montgomery County part of Sligo Park. The course is already an important part of the
18 open space, woods, and fields of the Sligo Creek watershed. And it has a tributary that
19 flows into the creek as well as many mature trees. With so little parkland inside the
20 Beltway, we don't want to see this large parcel of land lost to development of any kind,
21 even recreational, if it would have a detrimental effect on the local ecosystem. Our board
22 has basic criteria for what we think would be a good outcome for the site. One is to protect
23 water quality. Another is that it protects existing trees. Another is that it enhances
24 conditions for wildlife habitat. And the last is that it encourages appreciation and education
25 about nature. The board of Friends of Sligo Creek appreciates the substantial local
26 interest in keeping golf at the course site. The course has been a longtime amenity to this
27 part of the county, and we believe it is generally compatible with the more natural portions
28 of the park. We believe that the greening of the Sligo Golf Course site can showcase
29 ecologically sound practices and can build interest and support for the course among
30 golfers and non-golfers, as well as contribute to educating the wider community about how
31 the game can be friendlier to the local environment. A final benefit about the site going
32 natural is that the cost should be modest and can be scheduled in a manageable way and
33 are likely to reduce expenses. We encourage the County Council to approve the
34 supplemental appropriation to keep the course open while a balanced plan is developed
35 that will ensure the continuation of this park site as a positive benefit to the community as
36 an area that both wildlife and humans can enjoy. Thank you.

37
38 COUNCIL PRESIDENT ANDREWS:

39 Thank you, Mr. Sidwell. Our final speaker on this panel will be Dollie Wolverton, speaking
40 as an individual.

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1 DOLLIE WOLVERTON:

2 Good afternoon. My name is E. Dollie Wolverton. For the past 34 years, I've lived on
3 Crosby Road, directly across the street from the entrance to the Sligo Creek Golf Course.
4 I am proud to live near this fine public course, the only golf course in this part of
5 Montgomery County. Since my retirement 4 years ago, I've played here at least once a
6 week, including during the winter months. It has been my experience that this golf course
7 serves a cross-section of our community, which reflects a spectrum of race, age, and
8 culture. This includes young children who are just beginning to learn how to play golf,
9 those who may be less inclined to play on a more challenging course, and seniors such as
10 myself who can walk the course with comfort and play at an affordable price. It seems
11 ironic that the golf course is in jeopardy at a time when our property taxes, which help to
12 support such services, are at an all-time high and, also, when there is extensive urban
13 development underway with an increased population potential within a few miles of the
14 golf course. This includes the new Folger Pratt Silver Spring Metro Center, which is
15 allocating 250,000 square feet to apartment units; the Falkland North development,
16 located at the corner of 16th and East-West Highway, which will include over 1,000
17 apartments; The Courts of Woodside, on Georgia Avenue, with 23 luxury townhouses;
18 National Park Seminary, on Linden Lane, with 80 condos, 12 single-family homes, 66
19 apartments, and 90 townhouses; the Wheaton Metro Station area, with 173 apartments;
20 and of course the comprehensive Gateway Georgia Avenue revitalization. I also share the
21 concern of many in our community that to destroy this viable golf course and then to turn
22 around and develop it for other recreational uses would require new public funding at the
23 expense of taxpayers, unless it's the Council's intention to sell the land to private
24 developers. I would like to offer two recommendations. First and foremost, to reverse the
25 requirement designating golf as the only form of recreation in Montgomery County which
26 must be self supporting. Next, continue to keep the golf course open for public use while
27 allowing a community-based organization the opportunity to develop a viable long-term
28 plan for the non-profit operation of this valuable community resource. I hope these 2
29 constructive approaches will receive your serious consideration. This is not the first time
30 that Sligo Creek Golf Course has been the focus of reduction and proposed destruction.
31 With the development of the inner loop of the Capital Beltway, 9 holes were eliminated
32 from the previous 18-hole course. The remaining land was redesigned to create the
33 current 9 holes. Then in the mid-1990s, it was proposed that these 9 holes be destroyed
34 to accommodate the construction of the new Blair High School. Community leaders
35 listened to the taxpayers and to the voters, and the golf course was saved. At that time,
36 good sense prevailed. I hope it will again. Thank you.

37
38 COUNCIL PRESIDENT ANDREWS:

39 Thank you, Miss Wolverton. [Applause] We'll have one more panel. I just would make the
40 point that golf is not the only sport, activity, that's self-supporting. Indoor tennis is self-
41 supporting in the county, and that's been a policy decision as well.

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1
2 DOLLIE WOLVERTON:

3 I understood that was debatable, whether it was or it wasn't.

4
5 COUNCIL PRESIDENT ANDREWS:

6 No, actually. It raises enough money to pay for the capital improvements as well.

7
8 ROBIN FICKER:

9 Golf is a lifetime sport. Look how much we subsidize--

10
11 COUNCIL PRESIDENT ANDREWS:

12 We're not going to debate it. I'm just making a factual point. There will be time for more
13 debate. Thank you, though, for your testimony. All right, our next panel and our final panel
14 for the afternoon on this public hearing will be Carmen Maymi--I'm sorry if I pronounced
15 that incorrectly--of the Sligo Ladies Golf League, Carol Howland and Woody Brosnan,
16 representing the Sligo Creek Golf Association, Jim Estes, representing Salute Military Golf
17 Association, Meredith Wellington, speaking as an individual, and Mike Welsh, the
18 President of the North Hills of Sligo Civic Association. So, each of you will have up to 3
19 minutes to speak. Please remember to introduce yourself at the beginning. And a yellow
20 light will go on at 2 1/2 minutes, which means you have 30 seconds left. If you have
21 written testimony, please distribute it to the clerk. And please stay at the panel. There may
22 be a question or two. Ms. Naime? Did I pronounce that correctly?

23
24 CARMEN MAYMI:

25 A little bit.

26
27 COUNCIL PRESIDENT ANDREWS:

28 OK, go ahead and correct me. Please pronounce it as it is pronounced.

29
30 CARMEN MAYMI:

31 Thank you. My name is Carmen Rosa Maymi.

32
33 COUNCIL PRESIDENT ANDREWS:

34 OK.

35
36 CARMEN MAYMI:

37 I am a resident of Silver Spring and an officer of the Sligo Creek Ladies Golf League. The
38 league has played at Sligo year-round for 25 years, and we are deeply concerned about
39 the future of the Sligo Golf Course. Thank you for the opportunity to speak to you today to
40 convey the feelings of the members of the league and the feelings of many other golfers
41 who value Sligo for the significant impact that it continues to make in the community and

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1 in our lives. We emphatically support the special appropriation to fund the continued
2 operations of the Sligo Creek Golf Course for Fiscal Year 2010. We also appreciate the
3 efforts made by Councilmembers to find long-term options for preserving golf at Sligo. The
4 members of the league believe that Sligo Golf Course must be protected and improved for
5 future generations. It is a valuable resource to our community, where thousands of
6 residents of various ethnic backgrounds-- women, seniors, juniors, the disabled, and low-
7 and moderate- income people come together to harmoniously enjoy their regular golf
8 game. We consider the course to be an oasis for wildlife and green spaces in the midst of
9 one of the most congested, highly populated areas in the county. The benefits that we
10 gain from this experience cannot be measured only in dollars and cents, but clearly are
11 demonstrated in a healthy and vibrant quality of life for our residents. The Ladies League
12 has joined the Sligo Creek Golf Association in their efforts to work with public officials,
13 golfers, neighbors, and community groups to revitalize the golf course as a model for
14 environmental excellence, community participation, and development of new sources of
15 revenue to support the golf course. We believe the extended period of operations for the
16 course for 1 or possibly 2 years that is being considered will save the course from total
17 destruction as well as give us the time to plan for the transformation of Sligo, as a model
18 of success that we want it to be. Please let us know how we can help you to keep Sligo
19 open. Thank you very much.

20
21 COUNCIL PRESIDENT ANDREWS:

22 Thank you. [Applause] Before I call our next speaker, I just want to mention that Council
23 Vice President Berliner is out sick today, which is why he's not here. We wish him a
24 speedy recovery. Our next speakers will be Carol Howland and Woody Brosnan,
25 representing the Sligo Creek Golf Association.

26
27 WOODY BROSNAN:

28 Just Woody Brosnan because Karen is also sick.

29
30 COUNCIL PRESIDENT ANDREWS:

31 OK.

32
33 WOODY BROSNAN:

34 And Karen is President of the Sligo Creek Golf Association. I'm Chairman of the Political
35 Outreach Committee. Sligo Creek Golf Association is a newly formed non-profit which will
36 work to preserve golf at Sligo for all who wish to pursue the sport as well as to enhance
37 the course so it is in harmony with its environment. We have over 900 friends, and our
38 numbers are growing daily. We're asking you to approve the funding necessary to keep
39 the golf course open on behalf of the more than 2,000 people who have signed our
40 petition so far, and we'll be presenting those to you once we've got their names entered
41 into our database. We also ask that you take measures to ensure that the Planning Board



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1 and the Revenue Authority complete an operating agreement prior to October 1st. Over
2 the past month, we've appreciated the chance to meet with you individually or members of
3 your staff. So, let me just highlight some key points. We believe the course is not adverse
4 to the golf system. Most of the purported losses tie directly to an excessive management
5 fee of \$139,000 imposed by the Revenue Authority to support its Rockville headquarters.
6 This is the same fee paid by the other courses despite the fact that Sligo is 1/2 or 1/3 of
7 their size. We questioned whether the language in the lease demands that individual
8 courses be self-sustaining versus a golf system as a whole. We questioned the Revenue
9 Authority's estimate that Sligo Creek Golf has an immediate need for \$2.5 million in capital
10 improvements. Obviously some is needed, but you prioritize and pay as you go along. We
11 believe that if properly managed and marketed, Sligo could be an example of how to
12 operate a 9-hole public course so that it is never adverse. We believe that with creative
13 marketing and community outreach, Sligo Creek Golf Course can attract and develop
14 many new golfers. The stewards for the sport need to proactively reach out to groups that
15 traditionally have not embraced golf. The diverse population in the communities nearby
16 Sligo offers a significant untapped market. We believe that Councilmember Ervin's pursuit
17 to make Sligo Creek Golf Course a place for therapeutic recreation for disabled veterans
18 holds great promise. We believe this course should be built on what makes it so loved:
19 it is a peaceful oasis in an otherwise very congested area. It does not require battling
20 traffic in order to play golf. It welcomes golfers of all abilities and provides a tolerant
21 atmosphere in which to learn to play the game. This is a community asset that has been
22 enjoyed by generations for more than half a century and must be preserved for future
23 generations. It is special, and unlike a tennis or a basketball court, it cannot be replaced or
24 rebuilt. Even in hard budgetary times, it makes no sense to sacrifice a multimillion dollar
25 asset for an alleged loss of less than a couple hundred thousand. The Sligo Creek Golf
26 Association is prepared to work constructively with any and all parties who share our goal
27 of preserving this course for the citizens of Montgomery County and the metropolitan
28 area. Thank you. [Applause]

29
30 COUNCIL PRESIDENT ANDREWS:

31 Thank you, Mr. Brosnan. Our next speaker will be Jim Estes, representing Salute Military
32 Golf Association.

33
34 JIM ESTES:

35 Good afternoon, ladies and gentlemen. My name is Jim Estes. I'm the founder of Salute
36 Military Golf Association, and I am a PGA golf professional. Salute Military Golf
37 Association is a 501c3 non-profit whose mission is to provide rehabilitative golf
38 experiences for combat-wounded veterans in an effort to improve the quality of their lives.
39 SMGA believes the rehabilitative benefits of golf can improve the mental and physical
40 condition of each and every soldier wounded. The SMGA provides golf equipment,
41 lessons, playing opportunities for combat-wounded American soldiers injured in

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1 Afghanistan and Iraq. Why does Sligo Creek fit well with SMGA? It's pretty simple. Sligo
2 Creek Golf Course is in close proximity to Walter Reed. SMGA believes that we can
3 expand to Sligo and provide a golf development program there at Sligo. It's a great golf
4 course because it's relatively easy. It's not too difficult. Wounded servicemen and women
5 will find this golf course a safe haven. Closing down Sligo reduces an outlet for wounded
6 American soldiers. Our heroes need a safe haven to go to recover. Many of them are
7 often wounded and for prolonged periods of time, they are in a hospital. They don't get to
8 see their family members. So Sligo giving them that outlet would be a great thing. SMGA
9 believes military members playing golf is an intricate part of military men and women
10 interacting. Um... SMGA has seen the positive effects of the game of golf and we believe--
11 we hope Sligo can be a part of that process. I've worked for the last 3 years on developing
12 a golf program for injured and wounded soldiers, and we believe working with the Sligo
13 Creek Golf Association will be a win-win situation. Thank you. [Applause]

14
15 COUNCIL PRESIDENT ANDREWS:

16 Thank you, Mr. Estes. Our next speaker will be Meredith Wellington, speaking as an
17 individual.

18
19 MEREDITH WELLINGTON:

20 Thank you. Thank you for the opportunity to speak. My name is Meredith Wellington. As
21 you know, as a commissioner at MNCPPC, I opposed the decision to transfer the
22 operation of the golf courses from the commission to the Revenue Authority. Today, I
23 strongly support the special appropriation to keep Sligo open. Not only is it the right thing
24 to do, but approving it will also give the Council time to learn how the county got to this
25 place. The Council needs to reexamine what are the core functions of government, vis a
26 vis recreation. It certainly needs to look at what group of citizens should derive the most
27 benefit from public golf courses, ice rinks, and other recreational facilities, and it needs to
28 decide the circumstances, if any, under which it will provide a subsidy. The result so far of
29 the transfer of golf to the Revenue Authority has been that the golf facility in one of the
30 less-affluent areas of the county is to be closed. If certain recreational facilities like golf
31 courses and ice rinks must pay for themselves, as in the private sector, I am concerned
32 that over time those county recreational facilities will only be in the wealthier part of the
33 county. That's wrong. If the county is going to provide certain recreational opportunities, it
34 must provide them throughout the county to all of its citizens. Therefore, in my view, you
35 need to take a long look at the commission's Enterprise Fund and whether the Revenue
36 Authority is properly structured to manage a diverse system of golf courses. My concern is
37 that this problem is not limited to Sligo. I believe that we will deal with this again for other
38 golf courses, and in the Enterprise Fund at the Wheaton Ice Rink. Now is the time to step
39 back, reassess, and establish the core recreational activities and then make sure that
40 those activities are available to all of our citizens throughout the entire county. Thank you.
41 [Applause]

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1
2 COUNCIL PRESIDENT ANDREWS:

3 Thank you, Ms. Wellington. Our final speaker will be Mike Welsh, President of the North
4 Hills of Sligo Civic Association.

5
6 MIKE WELSH:

7 Councilmembers and President Andrews, thank you for allowing me to speak. I am
8 representing the North Hills of Sligo Creek Civic Association as well as PRESCO today.
9 As you know, the North Hills Civic Association, nearly 300 homes, abuts the eastern side
10 of the course. We support the County Executive's proposal of the appropriations bill, as it
11 will allow one of the most beautiful and invaluable recreational facilities in the down county
12 region to remain open another year. We are also confident that this stay of execution will
13 allow the opportunity to consider a fresh approach on how to maintain Sligo as both an
14 environmental keystone for area wildlife and a successful recreation facility for all county
15 residents. Contrary to the assertions made by the Revenue Authority, Parks and Planning,
16 and the "Gazette," the initial plan to change the golf course into an amusement park
17 complete with a lighted 70-stall driving range and miniature golf course was not rejected
18 by "nearby neighbors." It was also rejected by the golfing community, additional
19 neighborhoods, and multiple environmental organizations. I know this because I
20 participated in the Revenue Authority's stakeholder advisory group over the summer of
21 2008. Let me quickly list the reasons for keeping Sligo open. It's the only county golf
22 course of its kind inside the Beltway. Contrary to past assertions, Sligo serves a wide-
23 ranging socioeconomic community with an affordable opportunity to play in one of the
24 county's most beautiful parks. The game of golf transcends race and class, as proven by
25 such luminaries as Tiger Woods and Lee Trevino. Sligo also serves 2 of the golfing
26 community's greatest assets:

27 entry-level golfers and seniors. Closing it would deny our county's youth the opportunity to
28 learn the game at this gateway course and our seniors a vital outlet to help stay active.
29 Take away Sligo, and residents must travel to distant courses or join a country club to
30 enjoy the sport, both unlikely scenarios, even outlined by the Revenue Authority. Plus, the
31 course is there, and it's been there for over 6 decades. The Revenue Authority estimates
32 that the course currently runs at a roughly \$50,000 shortfall. Meanwhile, Parks and
33 Planning estimates a cost of over 50,000 just to maintain the parcel of land should it be
34 mothballed. If 50,000 needs to be spent either way, why not put it toward keeping Sligo
35 open and used? Why discard what is widely considered one of the county's true assets?
36 We support the County Executive's proposal to form an advisory panel of both private
37 citizens and county officials to determine how Parks and Planning could operate the
38 course indefinitely. But we continue to oppose any plan that does not continue to run Sligo
39 as a daytime only operation. Any changes to the facility must work in harmony with the
40 neighbors without incorporating invading lights or excessive traffic. We've offered myriad
41 ideas for how to run the course successfully, and we look forward to working in an

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1 environment where these could be appreciated with an open mind, not ignored or
2 disdained. We're also intrigued and encouraged by Councilmember Ervin's idea to make
3 Sligo a gateway for our veterans. We look forward to working with her on the details of
4 how to make this 65-acre oasis a centerpiece for our wounded service personnel so
5 bravely serving in the war zones around the world. Should you not approve the
6 appropriations bill, the North Hills Civic continues to support the nature preserve concept
7 as an alternative use.

8
9 COUNCIL PRESIDENT ANDREWS:

10 I have to stop you there, but it sounds like you were finishing up.

11
12 MIKE WELSH:

13 I'm finishing up, but thank you for your time.

14
15 COUNCIL PRESIDENT ANDREWS:

16 OK, thank you. [Applause] All right. I do not see any questions, so thank you for your
17 testimony, and a Planning, Housing, and Economic Development committee meeting is
18 scheduled for the 24th. Have a good afternoon. Our next and final public hearing of the
19 afternoon will be Agenda item 10, which is a resolution to approve memorandum of
20 agreement authorizing the police department to provide out-of-county services--please try
21 to leave quietly. Intergovernmental Cooperation Agreement with Pittsburgh, Pennsylvania,
22 for the G-20 Summit. And...we have action scheduled immediately following this hearing.
23 The measure was introduced this morning. We have 2 of our finest, representatives of the
24 Montgomery County Police Department, before us. Captain Luther Reynolds is
25 representing the County Executive, and I'm sure Chief Manger as well. And Captain Mitch
26 Cunningham is here also. So, I'll turn it to you.

27
28 LUTHER REYNOLDS:

29 Luther Reynolds.

30
31 COUNCIL PRESIDENT ANDREWS:

32 Left. There you go.

33
34 LUTHER REYNOLDS:

35 Thank you. Luther Reynolds with Montgomery County Police Special Operations Division.
36 I'm speaking about the G-20 summit deployment, and I thank you very much for hearing
37 us today on fairly short notice. Why support the G-20 with our agency and with our
38 deployment and how the request came in. Pittsburgh Police Department has
39 approximately 885 sworn officers. They need approximately 4,000 to 5,000 officers per
40 day to host this summit. It's a national special security event. It's a, by definition, a
41 distressed city financially. They need help in general, and they specifically need help to

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1 hold this summit in their city and be safe. Chief Manger's mandates to me in planning for
2 this, which we've met--number 1, that we are prepared in Montgomery County for any
3 emergencies and that we have adequate resources here in Montgomery County, which
4 we do. Number 2--that we send a finite number of people to Pittsburgh, although they
5 asked for a large number of people, we're sending 44. That includes 37 Montgomery
6 County Police Officers, 5 sheriffs, and 2 fire marshals from the fire department. Third thing
7 that he required was that it not cost our police department or county anything, and that we
8 receive reimbursement, which we are, and all the people that participate in this--police
9 officers or volunteers--that they are doing this of their own will and this is something that
10 they want to participate in. The return on investment for our police department, our special
11 events response team, which is participating in this, it will give us a preparedness and
12 experience that we wouldn't otherwise have as we prepare for things like the U.S. Open in
13 2011 that we're hosting in Montgomery County, other protests and other special events,
14 dignitary protection, and a lot of those types of things that we do throughout the year. It is
15 an offer of mutual aid and building a partnership. If you'll recall in sniper events and things
16 like that, our resources were quickly overwhelmed, and it was important to rely on people
17 that came to Montgomery County from all over the country to help us out at Federal,
18 State, and local levels. Legal and liability issues--behind me is William Snyder with the
19 County Attorney's office. He worked with Bob Drummer and others to make sure we are
20 covered in terms of liability, and in fact we are, and they're satisfied with this agreement.
21 This is different than other inaugural events and different things that we've done in D.C.,
22 where we already have an MOU and an MOA with D.C. In this case, it's not local. It's
23 outside a region, and we needed to have a unique agreement. All the costs for
24 reimbursement are covered:
25 regular and overtime, salaries, travel, tolls, lodging, food, etc. Details for the deployment.
26 We leave the academy tomorrow at 10:00. We get a briefing in Pittsburgh tomorrow night
27 at 6:00. Our operational days are Thursday and Friday. Saturday we return. And, as I
28 said, there's 44 people participating. I thank you very much for allowing us to present this
29 to you with such short notice.

30
31 COUNCIL PRESIDENT ANDREWS:

32 Thank you. Captain Cunningham, did you wish to add anything?

33
34 MITCH CUNNINGHAM:

35 No, just here for moral support.

36
37 COUNCIL PRESIDENT ANDREWS:

38 OK, all right. Very good.

39
40 COUNCIL PRESIDENT ANDREWS:

41 Councilmember Floreen.

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1
2 COUNCILMEMBER FLOREEN:

3 Thanks. Gentlemen, I just want to be clear. You're saying that there is actually no cost at
4 all to the county?

5
6 LUTHER REYNOLDS:

7 Correct. Our salaries--It's actually in the agreement that's written. Our salaries, both
8 regular and overtime, our travel, our mileage for the vehicles that we're taking, our
9 lodging--we actually are staying in a church up there, which is where a lot of the outside
10 agencies are being sent into different places while we're up there. And all of our meals are
11 provided while we're there.

12
13 COUNCILMEMBER FLOREEN:

14 OK, well, great. Good. Thank you.

15
16 COUNCIL PRESIDENT ANDREWS:

17 Very well. Well, I thank everybody for the quick work in putting this resolution together. Mr.
18 Drummer, Mr. Snyder, good job. We all wish you the best as you head that way. All 44 of
19 our public safety officers who will be participating and 2 fire and rescue personnel
20 included.

21
22 COUNCILMEMBER FLOREEN:

23 How about a motion?

24
25 COUNCIL PRESIDENT ANDREWS:

26 So, yes. We need a motion. Who'd like to make a motion?

27
28 COUNCILMEMBER FLOREEN:

29 I'll do--

30
31 COUNCIL PRESIDENT ANDREWS:

32 All right, Councilmember Floreen makes a motion for approval. Councilmember Ervin, I
33 think, seconded it. This just requires a majority. All those in favor, please raise your hand.

34
35 BOB DRUMMER:

36 I think you may need a roll call. The state law requires it to be done in a legislative
37 process.

38
39 COUNCIL PRESIDENT ANDREWS:

40 OK. All right. The clerk will please call the roll.

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1 BOB DRUMMER:

2 Just to be careful.

4 COUNCIL PRESIDENT ANDREWS:

5 We'd rather be careful. OK. Go ahead. Would... Let's see...just start to your-- just work
6 your way down and then--well, start--yes.

8 COUNCILMEMBER NAVARRO:

9 Yes.

11 COUNCILMEMBER ELRICH:

12 Yes.

14 COUNCILMEMBER TRACHTENBERG:

15 Yes.

17 COUNCILMEMBER FLOREEN:

18 Yes.

20 COUNCIL PRESIDENT ANDREWS:

21 Yes. Councilmember Ervin said--says--

23 COUNCILMEMBER ERVIN:

24 Yes.

26 COUNCILMEMBER LEVENTHAL:

27 Yes.

29 COUNCIL PRESIDENT ANDREWS:

30 You did? OK. All right. I say yes as well. So that would be Councilmember Navarro,
31 Councilmember Elrich, Councilmember Trachtenberg, Councilmember Floreen, myself,
32 Councilmember Ervin, Councilmember Leventhal. That's approved, 7-0. Have a good trip.

34 LUTHER REYNOLDS:

35 And if I could, just, again thank you very much. I know this is very short notice.

37 COUNCIL PRESIDENT ANDREWS:

38 Thank you. We are adjourned until 7:30 for our public hearing on the Growth Policy back
39 here.